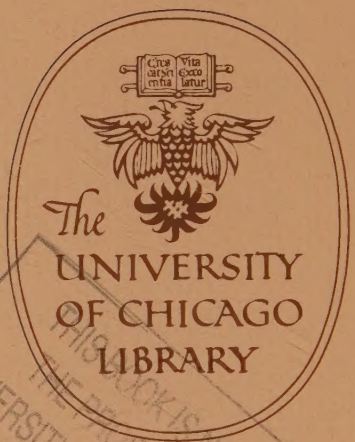
ANSON BURLINGAME
AND THE FIRST CHINESE MISSION TO FOREIGN POWERS

FREDERICK WELLS WILLIAMS



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BY

FREDERICK WELLS WILLIAMS

Assistant Professor of Oriental History in Yale University

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PREFACE

THIS is a study of a career and of an enterprise that were misconstrued by their own generation. They demand requital from generations that are to come. As a romance in the stirring period of American history the life of Anson Burlingame deserves a biographer capable of giving its epic movement lasting literary form. My purpose in these pages has been less ambitious. So far as the character of the man is concerned I have tried to show that it was justly estimated by few even of those who admired him; that the work he set out to perform was left uncompleted but did not end in failure. Yet the real importance of Anson Burlingame lies not so much in the man or in the endeavour as in the use of an idea which he made the guiding principle of his service abroad. He believed in the practical application to the business of diplomacy of one of those commandments upon which hang all the law and the prophets: "Thou shalt love thy neighbour as thyself." With this precept in control I have endeavoured to show how

he secured first a hearing, then attention, and at last the conversion of the most disdainful group of civilised officials in Asia. Once won to a belief in his adherence to the Confucian maxim of trying to place one's self in the other side's position, these self-opinioned statesmen determined to engage his co-operation in setting their country right before the world, while they addressed themselves to the herculean labour of bringing a recreant court to reason and of leading the Chinese Empire out of its isolation.

The far-reaching wisdom of the Burlingame policy of awaiting a natural reversal in China instead of pressing her refractory people by force of arms is acknowledged by the great powers to-day. As a policy it appears to be the only provident prophylaxis against the evils involved in the alternative of interference and subjection. Fifty years ago, when the white man recognised no limit to the prevalence of newly perfected weapons which he alone employed, this was not generally perceived. With such advantages on their side it was natural that representatives of the Western world should clamour for a physical conquest that seemed easily within their reach. I have tried to treat

the exponents of this element of our own civilisation with justice and even with consideration. It has been shown, I think, that their attitude was the same among all the Nationals represented in the Far East. But the fact must not be obscured that the cupidity of this group of foreigners, when alarmed for the safety of their commercial profits, was the chief cause of the defeat of the Burlingame doctrine and its relegation for a generation to the limbo of exploded theories.

The begetter of this great idea has suffered in reputation under its eclipse. A worse thing has befallen. Though his plan has been revived the dignity of his name has never been vindicated. His idea has become the professed policy of the nations during China's present turmoil, but his clear right to its authorship and the splendid spontaneity of his championship of a discredited people in the hour of their abasement has been obscured and even denied. It was he who first declared abroad the necessity of assisting China to find herself, and of elevating the diplomacy of Western powers in Asia to something higher than securing for their traders the largest possible advantages in a sec-

ular struggle for profits. He recognised, what the merchants themselves could not comprehend, that there was danger to China in summarily accepting the materialism of the West; and danger to China meant and still means the cancellation of every political equation in the arrangement of civilised society. In this sense it appears to me that Mr. Burlingame can properly be called the father of the open-door principle which Mr. Hay proposed as a symbol for the unification of outside interests when China threatened, in a moment of aberration, to become a derelict among nations.

The power of urbanity, its importance as an international asset, especially when dealing with exotic peoples, is not sufficiently realised by Western states. Mr. Burlingame's credit in China, secured by the exercise of his unfailing courtesy, needs to be studied as a lesson by the men of our race. His personal popularity was too lightly dismissed by his countrymen as a thing apart from the real work of diplomacy; his affability and his enthusiasm led them to underrate a quick inventive brain. And while he was not taken seriously enough by contemporaries during life, after his untimely death he was dis-

credited by a suddenly aroused fear of Chinese immigration associated with his treaty, and loaded with obloquy by orators of the sand-lot type. Those who had submitted to the persuasive spell of his eloquence forgot then the purport of his great idea. He had published nothing, therefore it had no visible expression in print and was only to be found buried among official documents. For these reasons, therefore, the significance of his demeanour has been forgotten, the true value of his work effaced. But now that the antagonisms of the past are allayed he should be returned to our knowledge and his purpose of peace and goodwill, his lofty principle of forbearance, and his method of persevering suavity appreciated.

It is time to disabuse ourselves of the notion that the Chinese are a stupid and unchangeable folk because they have evolved a philosophy of life that, unlike our own, does not find its supremest satisfaction in wealth and in war. We must credit them with intellectual powers that only need proper direction to accomplish great things. If they erred in the past through excessive caution they promise in the near future to make good any defect of this sort by too great

temerity in change. The effect of any untoward transition in an enormous mass of people possessing the qualities of the Chinese cannot be disregarded by intelligent minds. Mr. Burlingame understood the risks involved both to others and to themselves in such a lapse; and to the welfare of the Christian world as well as to the task of serving China in the interests of her own revival he gave his heart and soul with a devotion that ended in the sacrifice of his life. As an embodiment of the true missionary spirit he stands among the foremost public men of his generation, and it is a spirit which is still efficient. Professor William Garrott Brown has admirably appraised the influence thus cut short but not concluded: "If Burlingame's name be not forever associated with an epochal readjustment of the world's civilisations, then few names have missed immortality more narrowly." [1]

New Haven, Connecticut,
August, 1912.

[1] *Atlantic Monthly*, June, 1905, p. 32.

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THE EVOLUTION OF A DIPLOMATIST

ANSON BURLINGAME was pre-eminently a man of his generation in America. From both lineage and training he derived qualities that in his maturity revealed him as a product of the formative period when the United States was passing from the position of a remote agricultural community to assume, through expansion of territory and the development of its natural resources, a place among the great nations of the world. Like most of the men who became leaders in this time of transition, he was descended from the early English settlers in America, inheriting from that sturdy stock a temper which made for independence in action and ideas. His ancestors, who first came in the Puritan period to Rhode Island, had their share in the French-Indian War on this continent, and subsequently fought in the

War of American Independence, his mother's grandfather being Colonel Israel Angell, of Washington's army. The son of Joel Burlingame, a settler and farmer on the frontier, he was born in New Berlin, Chenango County, New York, November 14, 1820. Before he was three years old his father removed to Seneca County, Ohio, to occupy a farm in what was, a century ago, the forest country of the Western Reserve. Joel Burlingame is described by one of his neighbours there as "a devout Methodist, an earnest freemason, a school teacher, ambitious but impracticable. He spent his time attending two-day meetings, quarterly meetings, and camp-meetings, and had little love for the hard work required to improve a farm in the wilderness. He was a man of fine personal appearance, and his general knowledge and fine conversational powers gave him favour in every cabin, while his vehement prayers and eloquent exhortations gave him notoriety among the pioneer Christians. I think he was instrumental in building the first school, as I know he was active in the erection of the first church in Seneca County." [1]

Anson is described by the same writer, who was his playmate in these early days, as "hand-

[1] "Personal Recollections of Anson Burlingame," by General W. H. Gibson, in the *Toledo Commercial*, March 1, 1870.

some, jolly, and lovable in childhood, as he was earnest, energetic, and devoted in manhood. The first ten years generally determine future character. Anson Burlingame during these years was a poor boy surrounded by Christian influences and guided by the spirit of a father full of love toward God and all men. In recurring to these days I am unable to recall a single act of meanness, unkindness, or cruelty on the part of little Anson." A boy of his genial yet ardent temperament would readily become the companion of such a father—whose predilection for preaching was not, however, unaccompanied by an appreciation of discipline which restrained that companion from going wild. The youth participated in various expeditions about Lake Superior and the upper Mississippi, some of them made for purposes of surveying in the Northwest Territory, and others to negotiate compacts with the Indians beyond the border. His schooling, therefore, was supplemented by a close companionship with nature and with men. When the family removed to Detroit he attended the academy in that town, and subsequently the Branch University of Michigan, located in the county of that name, where he chiefly shone in lyceum debates.

The attraction of a professional career in

which he might exercise mental powers that were distinctly above the average brought him in 1843 to the Harvard Law School, from which he was graduated as Bachelor in 1846. He began at once to practise at the Massachusetts bar in association with an older partner, Mr. Briggs,[1] and, already confident of support from the friends he had made in Boston, entered immediately into the public life of the city of his adoption. He rose rapidly to local prominence as a ready speaker, and became through this gift a political factor of importance in the State. These were the palmy days of stump oratory in America, when some reputation for eloquence was deemed essential to political success. Amongst the multitude of vigorous orators it required ability of a high order to be recognised as the spokesman of a party on the platform. "It was the magnetism of Mr. Burlingame," wrote Mr. Blaine, who first knew him at this period, "that made him pre-eminently effective before an assemblage of the people. What we mean precisely by magnetism it might be difficult to define, but it is undoubtedly true that

[1] A son of George Nixon Briggs, who, after serving six terms in Congress, was elected seven times successively (1843–50) governor of Massachusetts. He was the "Governor B." of the "Biglow Papers," who

"is a sensible man;
He stays to his home an' looks arter his folks."

Mr. Burlingame possessed an immense reserve of that subtle, forceful, overwhelming power which the word magnetism is used to signify. . . . What he believed he believed with such intensity, what he spoke he spoke with such fervour, that the unbidden impulse was to believe and assent to be convinced." [1]

A leader by force of character as well as of personal attraction, he was made president of the Young Men's Whig Republican Association, and thus early connected with a political group which he consistently supported to the end of his career. It was a notable triumph of personality over diverse elements of opposition, for this association was composed of two incongruous components —the "North Enders," the most obstreperous campaigners of Boston, who were bitterly hostile to "high-brow" domination in politics, and a small but eminent band of Whigs belonging to the aristocratic class, whose opinions were at variance with those of their kind. From the time of his marriage, in 1847, with Miss Livermore, a member of one of the old Cambridge families, he began to make his way into the influential element of the community, amongst whom he made many enduring friendships. But his political

[1] James G. Blaine, "Mr. Burlingame as an Orator," *Atlantic Monthly*, November, 1870.

battles were fought against the majority of these conservatives, and in alliance with a few who, like Sumner, Dana, and the older Charles Francis Adams, had resolutely abandoned that company to join the Free Soil party. That he should end by becoming the accredited representative of those who began by violently opposing his ideas was a presage of the kind of success against great odds he achieved in after life, the significance of which is not only personal but moral. After returning from a trip to Europe, in 1852, he was elected to the State senate, where his chief act, characteristic of his independent spirit, was his opposition to the Maine liquor law in defiance of the platform of the party that elected him. In the following year he became a member of the convention for revising the State constitution. The reputation he gained in this body secured for him a nomination by the American party and an election to Congress.

In his three successive terms as congressman he served on the committee on foreign affairs, but his chief claim to distinction was his recognised place among the foremost anti-slavery controvertists in the House. His famous achievement was a speech entitled "A Defence of Massachusetts," pronounced June 21, 1856. The incident inspiring it was one of the most dra-

matic in the history of our national legislature. Senator Sumner, a month before this date, had addressed the Senate upon the Kansas Resolution in a speech the virulence of which, rather than its trenchant argument, exasperated the Southern members beyond endurance. Unable to await a reply in kind, a congressman, Preston Brooks, a kinsman of Andrew Pickens Butler, senator from South Carolina,—one of the Democrats upon whom Sumner had poured the acid accumulation of his contumely,—undertook the task of vindicating the honour of his family and State by entering the Senate chamber when the Massachusetts statesman was engrossed in writing at his desk, and beating him senseless with a stick. An intimate defended the champion from interruption, while the few senators present, all Southern men, delicately refrained from disturbing the assailant until his victim fell helpless to the floor. It was thought at first that Sumner's extraordinary physique might be equal to sustaining without grave danger an assault which in the case of an ordinary man would have been an assassination; but after some days the spine was found to have been injured. Four years passed before he regained vigour sufficient to enable him to resume his seat in the chamber.

The Northern States, and especially their representatives in Congress, were naturally indignant at the outrage. It is but slight palliation to the sensitive patriot to be told that this was the single instance in which the courtesies of Congress were violated during the trying decade before our Civil War;[1] but the rough-hewn nature of our social behaviour at that period is revealed, and the arbitrary character of the "Southern oligarchy" appraised, by the fact that the House failed to expel Brooks for his ruffianly conduct and murderous intention, and no other power on earth could punish this stark assassin. It is a sufficient commentary upon the culture and condition of South Carolina to add that, upon resigning his seat, he was justified in the opinion of his native State by being immediately returned by a unanimous vote to Congress. As spokesman for outraged Massachusetts, Mr. Burlingame was admirably fitted both by temper and ability. Upon rising, after Brooks's re-

[1] "The Sumner assault became a leading event in the great slavery contest between North and South. . . . In result the incident was extremely damaging to the South, for it tended more than any single border-ruffian crime in Kansas to unite hesitating and wavering opinion in the North against the alarming flood of lawlessness and violence which as a rule found its origin and its defence in the pro-slavery party. Certainly no phase of the transaction was received with such popular favour as some of the bolder avowals by the Northern representatives of their readiness to fight, and especially by Burlingame's actual acceptance of the challenge by Brooks." (Hay and Nicolay, "Abraham Lincoln," vol. II, p. 55.)

turn to the House, to denounce the malignant spirit which had usurped the place of reason in the South, he assailed the record of South Carolina with vehemence fairly supported by historic fact, and concluded in a burst of old-fashioned eloquence which served its turn many years thereafter as a favourite piece for declamation in the schools of the North.

So much for the occasion of the speech. A word, and I shall be pardoned, about the speaker himself. He is my friend; for many and many a year I have looked to him for guidance and light, and I never looked in vain; he never had a personal enemy in his life; his character is as pure as the snow that falls on his native hills; his heart overflows with kindness for every being having the upright form of man; he is a ripe scholar, a chivalric gentleman, and a warm-hearted, true friend. He sat at the feet of Channing and drank in the sentiments of that noble soul. He bathed in the learning and undying love of the great jurist, Story; and the hand of Jackson, with its honours and its offices, sought him early in life, but he shrank from them with instinctive modesty. Sir, he is the pride of Massachusetts. His mother Commonwealth found him adorning the highest walks of literature and law, and she bade him go and grace somewhat the rough character of political life. The people of Massachusetts—the old and the young and the middle-aged—now pay their full homage to the beauty of his public and private character.

Such is Charles Sumner. On the twenty-second

day of May, when the Senate and the House had clothed themselves in mourning for a brother fallen in the battle of life in the distant State of Missouri, the senator from Massachusetts sat in the silence of the Senate chamber, engaged in the employments appertaining to his office, when a member from this House, who had taken an oath to sustain the Constitution, stole into the Senate, that place which had hitherto been held sacred against violence, and smote him as Cain smote his brother. . . . Sir, the act was brief, and my comments on it shall be brief also. I denounce it in the name of the sovereignty of Massachusetts, which was stricken down by the blow. I denounce it in the name of humanity. I denounce it in the name of that fair play which bullies and prize-fighters respect. What! strike a man when he is pinioned—when he cannot respond to a blow! Call you that chivalry? In what code of honour did you get your authority for that? I do not believe that member has a friend so dear who must not, in his heart of hearts, condemn the act.[1]

[1] The speech was reprinted for private distribution in Cambridge, 1856. Senator Wilson, Sumner's colleague in the Senate, writes of the assault: "Standing as it does in its relation to the irrepressible conflict between freedom and slavery, it was a revelation of a state of feeling and sentiment, especially at the South, which both startled and surprised the nation and the world, though it has since lost much of its special significance looked at by the side of the more horrible demonstrations of rebellion and civil war. Thus considered it shows Mr. Brooks as only a fit representative of the dominating influences of the slave-holding States, where not only did their leading men and presses indorse the deed as their own, and defend it by voice and vote, but the people generally seemed ready to vie with each other in their professed admiration of his course." ("Rise and Fall of the Slave Power in America," II, p. 484. See also Rhodes's "History of the United States," II, pp. 145–7, and Pierce, "Memoir and Letters of Charles Sumner," Boston, 1893, vol. III, pp. 460–524, a most detailed account.)

Brooks, who had in vain challenged Senator Wilson for calling the assault "brutal, murderous, and cowardly," took action at once after Burlingame's speech, and was met by a prompt acceptance of his challenge, the latter proposing rifles as weapons and Deer Island, near Niagara Falls, as the place of meeting. The chivalry of the South recoiled at the suggestion of such instruments of precision on the field of honour, and "Bully" Brooks declined to meet his opponent, on the ground that to reach the place designated he would have to travel "through the enemy's country." He was glorified for months thereafter by complimentary banquets and presents of various kinds of clubs suitably inscribed.[1]

Mr. Burlingame was returned with increased prestige to the Thirty-fifth and Thirty-sixth Congresses during the administration of President Buchanan, but failed in securing a reelection in 1860, though ardently supporting Lincoln and his triumphant party by speeches in the campaign. As a reward for faithful political

[1] Both Brooks and Butler died within a year of this incident, the former confessing to a friend that he was "heartsick of being the recognised representative of bullies, the recipient of their ostentatious gifts and officious testimonials of admiration and regard." A detailed account of the challenge, by Colonel James, Mr. Burlingame's second, was given to the *Washington Post*, October 27, 1901, by W. A. Crofutt, and is to be found in full in John Bigelow's "Retrospections of an Active Life," vol. I, pp. 165–170. It is the most authoritative document on the subject.

service he received an appointment as minister to Austria, but learned while in Paris on his way to Vienna that the Austrian court objected to him as too outspoken a champion of Kossuth and of Sardinian independence[1] to be *persona grata* at that capital. The Chinese legation being offered, he at once accepted the post, probably with rather vague ideas as to the past history of that country, and some doubts as to whether he should even be allowed to reside in its capital when he reached it.

China in 1861 was suffering from the twofold affliction of a rebellion at home and a recent defeat of her army by foreign invaders before Peking. The latter war had opened her capital for the first time in the history of the empire to the permanent residence of Western plenipotentiaries, but there remained a desperate hope in the hearts of the Chinese that these might still be induced to remove in time to the treaty ports; the initial step in Mr. Burlingame's programme was to establish an American legation there upon the basis of conventions secured by Great Britain and France. Owing to the fearful disasters of the Tai-ping Insurrection during ten years, and the strain upon their re-

[1] He had moved while in Congress the recognition of Sardinia as a first-class power.

sources from the presence of the rebels in the provinces of the Yangtse, the government of China was sufficiently alarmed at the critical condition of the ruling dynasty to treat the foreigners with circumspection and, for the time at least, carry out the terms of the treaties with honesty and faithfulness.[1] It reflects credit upon the spirit of the Tartar clan ruling an alien and discontented people that, despite its decadence and loss of *morale* after two centuries of occupation, it should have faced the diverse evils of this crisis with determination and without a suggestion of surrender. The plight of the dynasty was relieved by the death of its dissipated and cowardly monarch, Hsien-fêng, in August, 1861, during his flight to Jehol from the Europeans, when the government came into the hands of his infant son, T'ung-chih, controlled by the two Empresses-Dowager and Prince Kung, a brother of the deceased sovereign. From what has lately been made known of her career it appears that the dangerous situation was met by the secondary wife, Tsz-hsi, the

[1] Besides the Tai-ping, or *Chang-mao*, "long-haired," rebels who held Nanking as their capital, there were at this time the so-called Pathan, or Moslem, insurrection devastating Yunnan, other Mohammedan revolts in the north-west,—which a little later carried away the whole region from Kansu westward to Kashgaria in a revolt that was not suppressed until 1881,—and an uprising of bandits called Nien-fei in Shantung.

actual mother of the Emperor, then in her twenty-seventh year, who, with that extraordinary perception in the choice of her agents which distinguishes great rulers everywhere, made common cause with Prince Kung against a palace clique opposed to her interests, and brought the baby sovereign back to Peking to govern under a regency. It has been the custom in Western accounts of this woman to call her wanton and cruel. Personally she seems to have been quite the reverse, though as indifferent to human life when her own interests were critically involved as are all Asiatics. The supreme obstacle to a fair exercise of her exceptional ability was her utter ignorance of the outside world, the inevitable result of a traditional policy of the Manchu dynasty, carefully fostered by astute Chinese officials, who tried thereby during the nineteenth century to reduce the princes to impotence and to control the empire for their own selfish exploitation. The Empress was never easily deceived in matters which came within the compass of her own observation, but it was not difficult to play upon her pride of race or upon the anxieties she ever entertained as to intrigues menacing her supremacy within the palace. From such motives she would occasionally visit the greatest

statesmen in the land with sudden and terrible punishment, announced in astounding bursts of passion that recall stories of Elizabeth of England. Yet her judgment was rarely long at fault, if ever it really failed, and unless misled by misapprehension of the facts relating to European interests and affairs,—a misapprehension which seemed to Europeans themselves so unaccountable that they refused to credit its reality,—she faced the appalling difficulties surrounding her with bravery and sense.

Prince Kung, after his experience in concluding the conventions of 1860 with Great Britain and France, appears to have wisely decided that the safety of his country depended upon a conciliatory policy as to Europeans, so long, at least, as China was weakened by open rebellions in more than half her provinces. In carrying out his plan of maintaining a consistently correct attitude toward all foreigners, there was no evidence of cordiality in his conduct, or of a conviction, like that of the Japanese under similar circumstances, that China might profit by assimilating certain elements of Western culture. Yet, even thus conditioned, he was the liberal partner in the executive, though rather a moderating than an active force. Had he possessed the political ability of his great ancestors

Kang-hsi and Chien-lung, he might, perhaps, have converted the Empresses-Dowager to a policy that could well have saved his country the humiliations of 1895 and 1900. His less famous colleague, Wên-siang, was a Manchu of greater energy and broader intellectual grasp, who, while at first sharing the hostility of his class toward foreigners, presently admitted his appreciation of their character and ideas, and honestly endeavoured to lead his fellows to abandon their prejudices and learn of them.[1]

In estimating the attitude of the Western envoys toward these men, it must be remembered that at this time none of them possessed adequate or accurate information of the political situation in Peking. They groped their way, and in the darkness of their ignorance it was a genius of shrewdness and common-sense rather than diplomatic training which proved to be

[1] Sir Rutherford Alcock described him in a review of the statesmen of China at this period as being "by far the most distinguished" of them all. "As a member of the Grand Secretariat, and vested with other high functions, his influence is very great, both personal and official—subject, nevertheless, to such attenuation as the active hostility of a very powerful party of anti-foreign functionaries within and without the palace can effect. This party, if party that can properly be called which is composed of nearly the whole of the educated classes of the Empire,—officials, literati, and gentry,—are unceasing in their opposition to all progressive measures, whether emanating from the foreign board or elsewhere. But Wên-siang is held in especial hatred as the known advocate of a policy of progressive improvement with foreign aid and appliances." ("Chinese Statesmen and State Papers," I, p. 333, *Fraser's Magazine*, March, 1871.)

the safest guide. Kung was the first man of princely rank with whom foreigners had come into personal contact in China, and if, through their amity, he could be convinced of the desirability of closer and more friendly relations in the future, they were encouraged to anticipate an end to the old attitude of opposition to the West following the conversion of the court to a policy of free intercourse. They did not then realise the unbroken antipathy of the official class, nor were they aware that the Chinese people as a whole have to be convinced before they can be controlled, or that a sudden break with the ancient Manchu hermit-nation policy required the adhesion of the provincial governments before it could be safely effected. If the hackneyed but handy means of securing a concession at the treaty ports, by employing force at the locality in issue, was deplorable on moral grounds it must be confessed that the alternative process of demanding justice from the capital was often futile in obtaining its necessary enforcement by the educated gentry of the place where trouble had arisen. China as a country neither liked the intruding foreigner nor feared the central authority.[1]

[1] The dispatches of Sir Frederick Bruce and Sir R. Alcock discuss the politics and statesmen of China at this period with considerable fulness

On his arrival by the "overland" steamer in October, 1861, Mr. Burlingame found the American legation in China located in the rented house of its chargé and secretary, S. W. Williams, in the Portuguese settlement of Macao. His desire to proceed at once to Peking and establish the Mission there as soon as possible after the other allies of the late war was frustrated by the lateness of the season, which made it impossible to reach the capital before the river Peiho was frozen over and travel from the coast precluded. Until railways were built in China, Peking during the winter was almost as secure from the intrusion of travellers as Lhassa or Timbuctoo. The six months' delay in southern and central China was, however, a useful introduction to the new minister's career there, since it enabled him to obtain some personal acquaintance with the country and prosecute inquiries into the critical situation at Ningpo and Shanghai, two of the treaty ports threatened by the rebel armies. They actually captured the former city in November, but their general readily consented, upon representations from the three foreign consuls there, to spare the

in the Blue Books of this decade. Mr. A. Michie's discursive life of Sir Rutherford Alcock, entitled "The Englishman in China during the Victorian Era," two vols., Edinburgh, 1900, is perhaps the most authoritative treatment of the subject yet published.

property of aliens and desired them to continue their trade. The Tai-ping leaders proved themselves to be better aware of the value of commercial intercourse with other countries than the imperial authorities, but their utter lack of discipline soon showed that any reliance upon their promises of protection was futile. The foreign community in Ningpo was only preserved during this winter by the presence of French and English war-vessels, and in Shanghai the menace of a rebel attack had to be met by a day's battle undertaken by all the soldiers and volunteers the foreigners could muster. It must be recalled in this connection that the Tai-pings professed to be Christians, and had introduced a travesty of Christian doctrines to their countrymen as the religion of the new dynasty. Europeans had watched their course with anxiety for several years in the hope that these professions might mean a desire to establish a new rule in China in harmony with the spirit and culture of the West. Had the masters of this extraordinary movement been of sufficient calibre to understand the full advantage of foreign counsel and co-operation, they might conceivably, by this factor alone, have swept the Manchus from China despite the very real opposition to them always shown by the entire

educated class in China. But in their ignorance they destroyed trade and population alike, and in their conduct they belied every recognised doctrine of the faith which their pretensions parodied. It required no unusual penetration for Mr. Burlingame to decide from his own observation during the winter that the Imperial Government should be treated not only as the *de jure* power in the land, but sustained for the sake of humanity in its desperate struggle with anarchy by whatever moral support was allowable in a diplomatic agent.[1]

Upon his arrival in Peking, July 20, 1862, Mr. Burlingame was resolved not merely to maintain a correct attitude toward the government of the infant Emperor, but to win its confidence, if possible, by an exhibition of candour and cordiality. This done he might hope for some return in kind, though he could not actually

[1] That Mr. Burlingame had to make up his own mind upon this matter is fairly evident from the instructions he received from the secretary of state *in re* the Ningpo situation. "You ought not to be trammelled with arbitrary instructions, especially in view of the peculiar character and habits of the Chinese people and government. In a different case the President would certainly instruct you to refrain most carefully from adopting any means which might disturb the confidence of the Imperial Government or give it any cause of solicitude, even though it might seem to be required for the safety of the property and interests of American citizens. But how can we know here what ability the Imperial Government may have, or even what disposition, to extend protection to foreigners which it had stipulated? Nevertheless, I think that it is your duty to act in the spirit which governs us in our intercourse with all friendly nations, and especially to lend no aid, encouragement,

expect it to abandon its ancient prejudices and consider the practicability of availing itself of the political wisdom of the West. For this end he also employed all the resources of his genial disposition and courageous optimism to secure the co-operation of his colleagues in the British, French, and Russian legations. It was a gallant programme, but the odds were decidedly against him. The United States—no longer united in fact—were for the moment discredited before the European world by the disasters of the first year of a civil war; their demands in Asia could not be supported by a single gunboat. The desire of foreign merchants and adventurers in the ports of China was to push the policy of *grab* as far as it could be conveniently carried against the Chinese authorities while they were humbled by the defeat of their army before Peking and harried by the depredations of the rebels. The doom of the reigning dynasty seemed to be

or countenance to sedition or rebellion against the imperial authority. This direction, however, must not be followed so far as to put in jeopardy the lives or property of American citizens in China. Great Britain and France are not only represented in China by diplomatic agents, but their agents are supported by land and naval forces, while, unfortunately, you are not. The interests of this country in China, so far as I understand them, are identical with those of the two other nations I have mentioned. There is no reason to doubt that the British and French ministers are acting in such a manner as will best promote the interests of all the Western nations. You are, therefore, instructed to consult and co-operate with them, unless in special cases there shall be very satisfactory reasons for separating from them." (Seward to Burlingame, March 6, 1862, "Diplomatic Correspondence," 1862, p. 839.)

at hand, and in the impending anarchy the foreign element, demurely confident of its invincibility against Asiatics, saw no advantage in abiding by the treaties, but imagined, rather, another India prostrate before the first European captain who was resolute enough to conquer the capital and then the empire. The ignorant court, discredited by a long succession of defeats, and fearful of the consequences of every act, wavered and temporised, but showed little inclination to address itself to those reforms in its institutions through which alone it might expect to escape from the imminent peril.

Sincere friends of China, who from that day to this have deplored the apparently shiftless indirection of her policy, have not sufficiently realised that reforms of this sort could not be expected at once, or even from one generation of men; they involve not only a machinery of government but an intellectual point of view based upon the time-honoured models of Confucius. The system of control organised before the time of Christ had become so intimately a part of the life of China that none of its closely articulated parts could be materially altered without changing its whole economy. It is a fundamental of government as understood in the

West that official prerogative should be defined and the nature of its duties expressed. This entire conception was as repugnant to the typical Oriental mind of a generation ago as would be the definition of parental authority by a written contract. If the "modern" idea was to be applied to a highly wrought paternalism like that of China, it meant, to begin with, the inconceivable indignity of limiting the Emperor himself, the Solitary Man, who was the fountain not only of honour but of every function in the state, and relating every underling in the official hierarchy not to his natural chief but to a philosophic creation called law. The principle once admitted contradicts the accepted theory of a patriarchal government. We are watching, at last, the reconstruction of a polity that has withstood every havoc from Asiatics for twenty centuries, but which promises to succumb to the more virulent disintegrating influences generated in Europe. The change is far more radical than most of us appreciate or than any of the earlier Western observers of Chinese affairs anticipated. Because the gigantic nature of this task has never been comprehended, Western literature upon Chinese politics has become, in great part, an issue of polemics against a people saturated with the spirit of a primi-

tive age and honourably, if stubbornly, devoted to other ideals than those of our own civilisation.

Yet the situation did not appear to be hopeless to a man inclined to estimate the Chinese character without prejudice and to credit people of every race and colour with the possession of feeling and common-sense. Indeed, the anti-slavery advocate could not hold consistently any less liberal views. Happily, it was now upon the imperial officials about the throne that the direct responsibility of meeting a difficult situation was imposed; they could no longer resort to the favourite device employed upon foreigners for two centuries by provincial mandarins and shelve all questions for indefinite periods by reference to a higher authority. The location of the foreign legations in Peking had actually brought to the Manchu rulers their first lesson in the meaning of the term "diplomatic intercourse." As to the reputation of America in China, though she did not impress the Chinese imagination as a mighty power, she enjoyed a fairly clean record for probity and civility during the score of years since international treaty relations had begun; and good manners in the Orient constitute an asset of emphatic political importance. Had we as a nation sufficiently

considered the worth of this quality during the past half-century, we might have less cause to-day for anxiety in contemplating the problems of the Far East.[1]

Mr. Burlingame's personal charm spelled good manners in any language spoken by civilised men. He, whose political experience at home was lightly flaunted by critics as his only recommendation for an appointment abroad, proved as soon as he entered upon his duties in China that it was precisely such training in the knowledge of human nature which, coupled with native ability and elevation of character, fitted him beyond his foreign coadjutors for success in dealing with unusual propositions in diplomacy. Being without prejudice, his generosity proved often to be a better guide than the circumspection of some of those about him who were technically trained in the profession. In Sir Frederick Bruce, the British minister, however, who had succeeded to the mission of his brother, Lord Elgin, in China, he found a man of his own cheerful temperament and breadth of view. Bruce had already reached the conclusion respecting the Tai-pings at which Burlingame had

[1] "The root trouble with our relations with China, and more recently with Japan, is the contemptuous disregard of their point of view and the childish insistence upon our own." (A. H. Smith, "China and America To-day," New York, 1907, p. 178.)

arrived before reaching Peking.[1] He approved of the plan of strengthening the hand of the government by encouraging the organisation of a volunteer military troop under foreign officers, begun by Ward's "Ever-Victorious Force," near Shanghai, considering any risk to be feared from the introduction of an improved military system into China "less serious than the danger, commercial and political, we incur from the unchecked growth of anarchy," and being also convinced "that we, who neither seek territory nor promote by arms religious conversion, have little to apprehend from any success that may attend our efforts to raise the Chinese executive out of its present helpless condition. . . . Nor do I consider," he adds, "that it will be a matter of regret or hostile to our interests that China should be encouraged, by a consciousness of her strength, to use bolder language in defence of her just rights. The weakness of China, rather than her strength, is likely to create a fresh Eastern question in these seas. In proportion, also, as the Chinese are obliged to resort to us for instruction, the policy of isolation and contempt for the outer world, from which our

[1] ". . . that the rebels must be disabused of the notion unfortunately instilled into them by missionaries and others that the sympathy of Western nations was enlisted in favour of this system of blasphemy, massacre, and pillage." (Bruce to Lord Russell, March 26, 1862.)

difficulties have mainly arisen, must be abandoned." [1] Furthermore, the British minister was disposed to check as far as possible the aggressive attitude of his countrymen engaged in trade in China, being impressed by the diplomatic difficulties involved in their assumptions. A serious obstacle to restraining clandestine trading and illegal establishments set up by lawless foreigners was the reluctance of the Chinese Government to assert its own rights under the treaties.

The greater the progress [writes Bruce], the more essential it is that the Chinese Government should be roused from this apathy and compelled to act in defence of its rights. For it is quite impossible that this duty can be accomplished for them. On the other hand, it is a false position and very inconvenient that the foreign minister should be constantly urging the Chinese Government to act against his own people, or against other foreigners, in its own defence. This branch of their international education must be undertaken by competent persons in their own service if it is to be effectually done. . . . In a country like China commercial enterprise, if abandoned to its unchecked impulses,

[1] *Ibid.*, "Parliamentary Papers," "Further Papers Relating to the Rebellion in China," 1862, p. 9. The dispatch is written four months before Bruce and Burlingame met. His ideas were diametrically opposed to the opportunist programme of the merchants, who objected to his broad altruism for much the same reason that the moon disapproves of the sun's appearing at midnight in the classic of "The Walrus and the Carpenter."

will either lead to a suicidal catastrophe or become the herald of war.[1]

A few months' residence in Peking showed the new American minister that in this remote capital, inaccessible to steam and telegraphic communication, it was easy, in the absence of daily interpellation from interested parties, to cement friendships among the small coterie of foreigners thus inevitably thrown into intimate social relations. The diplomatic and missionary circles, constituting the only classes of foreigners resident in Peking, numbering less than fifty souls in all, were alike inspired by a real desire to benefit the Chinese by their presence and influence. In the wholesome detachment of such agreeable surroundings a man of Mr. Burlingame's temperament and ideals would naturally prefer a magnanimous attitude toward the Imperial Government as offering in the end the best chance for furthering the objects of his mission. Statesmen like Prince Kung and Wên-siang, as leaders of the only pro-foreign party in the em-

[1] Bruce to Earl Russell, October 13, 1862. ("Further Papers," presented 1863, p. 132.) In another dispatch he writes: "As far as I can judge from Mr. Burlingame's language, he entirely concurs in the two main principles which I think should guide us in our deliberations, namely, that our true interest consists in the suppression of rebellion and in the restoration of order, and that the opening of ports and the formation of settlements, without the presence of consular authority, will lead to quarrels and misunderstandings with the people and be ultimately disadvantageous to our position in China." (*Ibid.*, p. 80.)

pire, whatever their secret sentiments toward the white races, were at least committed by this time to a course of honourable dealing with them. This fact had rather isolated these few men. They needed assistance against the reactionary party in the country, which was known or suspected to be awaiting a favourable opportunity to overthrow the reigning dynasty. To support them by reducing to a minimum causes of misunderstanding and complaint was obviously better for the foreigners than anything now to be secured from making common cause with the discredited Tai-pings, or to be expected from constraining those conservatives who preserved an attitude of unvarying hostility toward Western peoples. It cannot be alleged that the Prince and his followers were sincere, but unless the Christian world was prepared to undertake the conquest of China it is difficult to see how its representatives could advance their legitimate aims at this juncture better than by accepting their assurances and insisting in turn upon a policy of candour and truth for the future.[1]

On his way to Peking, Mr. Burlingame had written (June 2, 1862) to the secretary of state

[1] Some account of Peking fifty years ago may be found in Dr. Rennie's "Pekin and the Pekinese," two vols., London, 1863, and in Michie's "The Englishman in China," vol. II.

that "if the treaty powers could agree among themselves to the neutrality of China, and together secure order in the treaty ports, and give their moral support to that party in China in favour of order, the interests of humanity would be subserved." [1] After reaching the capital he found the other ministers to be in accord with him in this general principle. He obtained their support in negotiations for regulating trade on the Yangtse, in relation to the employment of foreign officers in operations against the Taipings, and in the difficult matter of concessions and independent authority demanded by foreign merchants in the treaty ports. The British and French envoys readily appreciated "the advantage that would flow from the casting down of all jealousies and by a co-operation on every material question in China." In view of collateral changes in policy before the end of the century, it is interesting to note that Mr. Burlingame "found Mr. Balluzeck, the Russian minister, prompt to answer, in the spirit of the Russian treaty, that his government did not desire to menace at any time the territorial integrity of China, but on the contrary wished to bring it more and more into the family of nations,

[1] Quoted in his own dispatch to Seward, June 20, 1863. ("Diplomatic Correspondence," 1864, part I, p. 859.)

subject in its relations with foreign powers to the obligations of international law; that he was but too happy to co-operate in a policy that would ingraft Western upon Eastern civilisation without a disruption of the Chinese Empire." [1]

The text of the proposition constituting Mr. Burlingame's principle of action in China is embodied in a portion of this same dispatch:

The policy upon which we agreed is briefly this: that while we claim our treaty right to buy and sell and hire in the treaty ports, subject, in respect to our rights of property and person, to the jurisdiction of our own governments, we will not ask for, nor take concessions of, territory in the treaty ports, or in any way interfere with the jurisdiction of the Chinese Government over its own people, nor ever menace the territorial integrity of the Chinese Empire. That we will not take part in the internal struggles in China beyond what is necessary to maintain our treaty rights. That the latter we will unitedly sustain against all who may violate them. To this end we are now clear in the policy of defending the treaty ports against the Tai-pings, or rebels; but in such a way as not to make war upon that considerable body of the Chinese people by following them into the interior of their country. In this connection, while we feel desirous, from what we know of it, to have the rebellion put down, still we have become (*sic*) to question the policy of lending government officers to lead the Chinese in the field, for fear of complications among ourselves, grow-

[1] Burlingame to Seward, June 20, 1863.

ing out of the relative number to be employed, etc. That while we wish to give our moral support to the government, at the present time the power in the country which seems disposed to maintain order and our treaty rights, we should prefer that it organise its own defence, taking only foreigners for instruction in the arts of peace and war, and these, as far as possible, from the smaller treaty powers. . . .

I need not attempt to prove the advantages which must flow from co-operation; that we should do so, all must admit. By the favoured-nation clause in the treaties, no nation can gain, by any sharp act of diplomacy, any privilege not secured to all. The circumstances conspire to make this a fortunate moment in which to inaugurate the co-operative policy. The treaty powers are represented here by men of modern ideas, by men who, in this land where everything is to be done, do not choose to embarrass each other by sowing distrust in the Chinese mind, but who, with an open policy and common action, deepen each other's confidence and win the respect of the Chinese. That the too sanguine hopes in relation to China of our more advanced civilisation may be fully realised by any action we may take, ought not to be expected. . . .

The trouble here now is that we are dealing with a regency which, in a few years, must hand over its doings to the Emperor and those he may call around him. The regency dare not depart in the smallest particular from the old traditions, and yet these will not do for these times. They are distrustful of us, and are afraid of their censors and distant local authorities. Besides, there is a large anti-foreign party here. There are members of the Foreign Board who, if left to themselves, would at once

place China in perfect international relations with us; but sitting with them are spies, who paralyse them in their action with us, to fall, as they frequently do, far short of their promises. In their weakness they resort to tergiversations to such an extent as to menace, and to cause us in our passionate moods, almost to despair of holding, with dignity, any relations at all with them. Our only hope is in forbearance and perfect union among ourselves; if these are maintained, and our government sustains us in the policy we have adopted, I cannot but be hopeful of the future, and feel that a great step has been taken in the right direction in China.

A review of the correspondence between Mr. Burlingame and the secretary of state, during the five years which followed this dispatch, reveals both his loyalty to the principle here propounded and his chivalrous faith in the regeneration of China brought to pass by the exercise of patience and fair play. Whatever the obstacles contrived by the duplicity of officials, the criticisms directed upon him and his coadjutors by designing and disreputable Europeans at the ports, or the temptations brought up by hope long delayed to revert to the old practice of bullying China, the minister maintained his attitude consistently. Secure in his confidence of moral support from his three confrères in the other legations, he was content to let the disappointed traders cavil and to

await the work of time. As the representative, during this period, of the only foreign power which had never fought China, the only one, moreover, which at this time was unable to bring a single soldier across the ocean to enforce its demands, his control of the situation based upon a firm moral conviction was extraordinary. Under his monition the "Four B's," as they were called, — Balluzeck, Berthemy, Bruce, and Burlingame, — constituted a self-appointed committee of safety for China, and insured her passage into a peaceful period of internal reconstruction which endured for twenty years. The conservatism of an empire which had never in its long history consciously received any contribution from Western culture proved obdurate, indeed, and disappointed the expectations of its well-wishers; but the proper measure of the Burlingame plan is to be sought rather in a consideration of the alternatives involved. Had the exasperations comprehended in a policy of pin-pricks and exaggerated claims for indemnity been allowed to drive the Chinese once more to armed resistance, another European invasion of China would inevitably have brought other powers — notably Prussia — to claim a share in the spoils of conquest; and in the partition of the empire amongst them it is hard to

see how an ultimate conflict between the despoilers could have been avoided. And in such an issue what of the share of the United States? It has always professed a peculiar aversion to harpy nations; but in the exhaustion of a civil war it could not have either restrained or joined the harpies if it would. The partition of China meant then, as it would mean to-day, the end of equal opportunity for foreign commercial states, and America would have been compelled to retire empty-handed. With no ulterior purpose beyond that of a common benefit, Mr. Burlingame's manhood and urbanity gained more, in the most selfish estimate, for his country than could have derived from any other policy.[1]

A few topics may be taken from his published correspondence during his residence in China as illustrations of Mr. Burlingame's diplomatic activities. In the spring of 1863, he protests against the attempt of a French consul at Ningpo to acquire the concession of a part of the city for the French Government. This was a method of filching property and control from Oriental

[1] "The foreign ministers," says Mr. H. N. Lay, at that time inspector-general of the Chinese customs service, "met frequently at the house of Mr. Burlingame as upon neutral territory, and there we discussed over our cigars Chinese policy past and present, and in our stroll, which usually closed the afternoon's confab, the policy that should be pursued in the future was the constant theme." ("Our Interests in China," p. 40.)

governments then in vogue. It was a favourite claim among foreigners in China that in such concessions the Europeans could exercise jurisdiction not only over their nationals, but over the Chinese, an assumption which naturally would inspire competition between the stronger and more ambitious powers as to which of them could secure the most without seeming to impinge overtly upon the rights of others. The possibilities of friction from this source were serious. Upon Mr. Burlingame's representations to the Tsung-li Yamên and to his colleagues the disruptive character of such proceedings was recognised, the Chinese officials encouraged to resist such aggressions, and the newly arrived French minister persuaded to repress the efforts of his consul.[1] To establish the principle, he obtained from Mr. Bruce in the following year the publication of a circular to the British consuls defining the limits of British jurisdiction over leased territory in China, a declaration of the first importance in creating a precedent for rulings under extraterritorial control.[2] The settlement of Shanghai, at present the most important European community in Asia, received during his term of service its charter of mu-

[1] "United States Diplomatic Correspondence," 1864, part I, p. 851.
[2] *Ibid.*, 1865, part III, p. 380.

nicipal government, based upon the principles propounded by the foreign ministers as follows: That whatever territorial authority is established shall be derived directly from the Imperial Government; that it shall not extend beyond simple municipal matters; that Chinese not actually in foreign employ shall be wholly under the control of their own officials; that each consul shall have the government over his own nationals, the municipal police simply arresting offenders and handing them over to the proper authorities; that a reference shall be made to the Chinese element in the municipal system in measures affecting them.[1]

It was recognised in this outline that the jurisdiction covering cases between natives and foreigners under extraterritoriality was imperfect. In such an untried branch of jurisprudence, however, the ablest lawyers of Christendom were disposed to await the results of experience. In 1879, under Mr. G. F. Seward as United States minister, the subject of mixed courts was thoroughly discussed, and a general policy adopted in accord with that initiated by his predecessor, which has continued to the present. Chinese law courts provided no adequate rem-

[1] *Ibid.*, 1864, part I, p. 857. The first international agreement covering the control of this municipality seems to have been that of July 5, 1854.

edies in settlement of claims against Chinese debtors, nor would they allow the presence of foreigners as parties, witnesses, or attorneys; a consul, therefore, had usually to instruct the Chinese magistrate as to the proper judgment, despite the treaty provision that the decision be made by the judge of the defendant's nationality. From this practice arose the system of mixed courts at present in operation, based upon the international tribunals in Egypt as examples, but deemed at that time impracticable for China.[1]

Mr. Burlingame's concern in the incident known as that of the "Lay-Osborn Flotilla," was only that of a mediator, but his tact and the close personal friendship he had cemented with the British minister enabled him to bring the Chinese to an amicable agreement in an embarrassing matter, where under less amiable guidance a rupture might have ensued. An Englishman, Horatio Nelson Lay, the first inspector-general of the imperial customs service, was allowed to order a number of gunboats to be constructed in England for a Chinese coast patrol against pirates and smugglers. He greatly exceeded his instructions in executing the

[1] F. E. Hinckley, "American Consular Jurisdiction in the Orient," 1906, p. 159. Mr. Hinckley was the first, so far as I know, to call the co-operative policy one and the same thing as the "more recently called open-door policy."

order, and in 1863 the Chinese found themselves confronted by a fleet of eight powerful steamers, in charge of English officers and crews, who were engaged to man them for a term of four years, to serve only under their English commanders and receive pay through Mr. Lay's hands. The Chinese naturally declined to ratify an arrangement which actually involved an abdication of sovereignty in their own country. But in refusing to accept them, the vessels remained a menace to the peace of the Far East, either from pirates who might obtain them for use off the China coast, or for those feudal nobles in Japan who were upon the verge of rebellion, or for agents of the American Confederacy in Asia who were on the lookout for just such swift cruisers as these to prey upon American shipping. Mr. Burlingame, conscious of the gravity of the crisis, and quickened by the risk to his own country, advised the Chinese, "1st, to give their reasons fully for not ratifying the offensive articles of the agreement; 2d, to thank the British Government and Captain Osborn for what they had done for them; and 3d, that inasmuch as there was a misunderstanding between them and their agent which could not be reconciled, they should request the British minister to have the flotilla returned to England

under the direction of Captain Osborn, the ships sold, the men paid off and discharged, and the proceeds remitted to them. They followed this advice to the letter."

Perhaps no single event in his life in China illustrates better than this the kind of hazards confronting a foreign minister dealing with Asiatics uninured to the affairs of a new world, or the risks devolving which may bring a group of nations into jeopardy. "Had Captain Osborn," observes Mr. Burlingame, "thought more of his pecuniary interests and less of his own and his country's honour, he would have taken command on the Chinese conditions — have made an attack upon Nanking, won a temporary notoriety, and left his country involved in a mortal struggle with the rebels and subject to the taunts of the civilised world." [1] The quotation

[1] Burlingame to Seward, November 7, 1863. The two chief documents on this incident are "Parliamentary Papers, China, no. 2 (1864)," "The Lay-Osborn Flotilla Papers," and H. N. Lay's "Our Interests in China. A Letter to Earl Russell," London, 1865, 71 pages. Lay was, of course, dismissed from Chinese employ. The effect of this contretemps upon the progressive party in Peking was disastrous. Sir Rutherford Alcock alludes to it thus in a letter to Lord Stanley, January 1, 1868: "Our own dealings with the Osborn Flotilla left deep traces of discouragement in the official mind, and paralysed by far the most advanced and progressive among the leading ministers of the Yamên and Grand Secretariat. It went far also to destroy his influence, especially in regard to progress or reforms by foreign agencies. . . . The whole burden of the fiasco fell upon the Yamên and the progressive party in the state, and notably upon Wên-siang, with whom the scheme had originated. However unavoidable at last, the results were deplorable." ("Parliamentary Papers, China, no. 5 (1871)," p. 114.)

is significant as illustrating Mr. Burlingame's characteristic magnanimity in awarding praise to others whom his own services as mediator had brought into agreement. An indirect result of this episode was the establishment of Robert Hart in the place of the discredited Lay — an appointment which was to develop in the next forty years the most remarkable and creditable career of any European, perhaps, in Asia during the century.

Before his departure from Shanghai the American minister made the acquaintance of General Frederick T. Ward, "an American soldier of fortune, but one who reflected extraordinary credit upon American valour and military skill." [1] The career of this remarkable but little-known Yankee in the Far East, to whom was due the creation of the famous "Ever-Victorious Army," renders Mr. Burlingame's accounts of him in two letters to Mr. Seward of some value historically. In intrusting his younger brother, H. G. Ward, with letters of introduction to the President and the secretary of state, he writes (March 7, 1862): "Colonel Ward, now, I believe, a general in the Chinese service, is an American to whom my attention was first called by Admiral Sir James Hope,

[1] General J. W. Foster, "Diplomatic Memoirs," vol. II, p. 294.

who wanted to introduce him to me, and who commended him warmly for his courage and skill. He is instructing the Chinese in the use of European weapons, and has about two thousand of them trained, whom he has led in a most desperate manner, successfully, in several recent battles. I know nothing of him since what I have learned from Sir J. Hope, the Chinese, and himself. He says he was born in Salem, Massachusetts, went to sea when a boy, became mate of a ship, and then was a Texas ranger, Californian gold-miner, instructor in the Mexican service, was with Walker — for which he was outlawed by his government — at the Crimea, and then joined the Chinese, among whom he has gradually risen to influence and power. He is now their best officer, and for his recent successes has been recommended by the Chinese and English for still greater promotion. He says he is a loyal American, and, though a Chinese by adoption, he desires above all things that his country shall have its full weight in the affairs of China. I have felt it to be my duty to write all these things that you may have all the light I have."

The second letter, written after Ward had been killed in battle, shows his patriotism. October 26, 1862. . . . "General Ward was a

man of great wealth, and in a letter to me, the last, probably, he ever wrote, he proposed through me to contribute ten thousand taels to the Government of the United States to aid in maintaining the Union; but before I could respond to this patriotic letter he died. Let this wish, though unexecuted, find worthy record in the archives of his native land, to show that neither self-exile, nor foreign service, nor the incidents of a stormy life could extinguish from the breast of this wandering child of the republic the fires of a truly loyal heart. After Ward's death, fearing that his force might dissolve and be lost to the cause of order, I hastened by express to inform the Chinese Government of my desire that an American might be selected to fill his place, and was so fortunate, against considerable opposition, as to secure the appointment of Colonel Burgevine, Ward's second in command, and an American. He had taken part in all the conflicts with Ward, and common fame spoke well of him. Mr. Bruce, the British minister, as far as I know, did not antagonise me, and the gallant Sir James Hope favoured the selection of Burgevine. Others did not. I felt that it was no more than fair that an American should command the foreign-trained Chinese on land, as the English through Osborn would

command the same quality of force on sea. Do not understand by the above that I have pushed the American interests to the extent of angry disagreement. On the contrary, by the avowal of an open and a friendly policy, and proceeding on the declaration that the interests of the Western nations are identical, I have been met by the representatives of the other treaty powers in a corresponding spirit, and we are now working together in a sincere effort to strengthen the cause of civilisation in the East." [1]

The incident involved Mr. Burlingame's particular attention at this time, and resulted, rather curiously, in the employment by the Chinese Government of another famous Englishman, General Charles George Gordon. Upon the death of General Ward, and after Mr. Burlingame's proposal, Captain Burgevine, an ex-Confederate officer, took charge of the Ever-Victorious Force, but presently, falling foul of one of Li Hung-chang's agents in Shanghai, was denounced as a robber of public money. He appealed to the minister at Peking, who discovered on presenting his case to the Tsung-li Yamên that a varied assortment of charges had been there arrayed against the American by his

[1] Burlingame to Seward, nos. 11 and 27. United States State Department Archives, "China," vol. 20.

personal enemies; also that the government arrogated its right to execute him after due process of Chinese law. The claim had to be denied as being directly contrary to treaty stipulations, and in this point the foreign envoys supported the American minister unanimously. The charges themselves were found upon investigation to be spurious, and the Yamên showed its willingness to quash them, but two of the most prominent provincial officials in the empire, Tsêng Kwo-fan and Li Hung-chang, were implicated in this plot to suppress an undesirable foreigner, and "the sum to do was to restore Burgevine without offending these local authorities." After protracted correspondence, which must have by its firmness surprised the Chinese statesmen who had counted upon Mr. Burlingame's good-nature, the accusations were withdrawn as based upon false evidence, and Burgevine was cleared. Unhappily he considered his grievances sufficient justification, a short time thereafter, to go over with a part of his regiment to the rebels at Soochow. Deserting these in turn, after Gordon's appointment to his old place, he actually, through the latter's good offices, secured pardon from Li and was reinstated in the Ever-Victorious Force. Then, apparently in sheer bravado, he openly declared his

hostility to the imperial cause and his intention to rejoin the Tai-pings when he could. For this the American consul at Shanghai promptly confined him, in order to prevent further complications, and compelled him to choose between an immediate departure from China or a trial in the consular court. He chose deportation, which the Chinese allowed with some pardonable reluctance. It was a galling case, in relation of which the Chinese were undoubtedly very deeply stirred. They were aware that no state in Christendom was so impotent as to be unable to punish a proved rebel and traitor when fairly apprehended; but Prince Kung writes (May 1, 1864) to Mr. Burlingame that "in consideration of our present amicable relations, and desirous to show more than ordinary regard, I will waive all further investigation in this matter if your excellency will deport him to his own country." [1]

In another matter, of considerable importance to this country, the American minister secured from the Chinese Government an order to the

[1] "Diplomatic Correspondence," part I, 1864, pp. 864–875, and part III, 1865, pp. 421–5. Burgevine's end has really nothing to do with the subject in hand. He met his death rather mysteriously after returning to China about a year later (June, 1865), while a prisoner of Li Hung-chang's troops, when the viceroy had no intention of letting his prey slip a second time through the meshes of diplomacy. His fate was palpably the result of his own imprudence; he was but one of an assortment of adventurers who infested the Far East inspired by hopes like his of making their fortunes in the disorders which assailed China during

governors of the maritime provinces forbidding the *Alabama*, "and every other vessel with similar designs, from entering our ports," or to approach the coast of China. "Such an order," declares General Foster, "enforced by the governments of Europe, would have saved the American commercial marine from destruction and shortened the Civil War. It was a striking evidence of the influence of the minister and of the friendship of the Chinese Government." [1] The dispatch, hitherto unpublished, advises the department of his action as follows:

(Confidential.) In my regular dispatch I have informed you of the action of the Chinese Government adverse to the rebel cruisers. I was led to act from the near approach of the steamer *Alabama*. My first step was to secure for my plan the good-will of my colleagues. Accordingly I carefully presented the whole question to them and, happily, with much success. Mr. Vlangaly, the Russian minister, proposed, if necessary, to aid me in urging my views upon the Chinese. Sir Frederick Bruce, the British minister, permitted his able interpreter, J. McLeavy Brown, Esq., to act with Dr. Williams in the later

these parlous years. Prince Kung's comment on conveying the intelligence of his decease to Mr. Williams is characteristic: "Burgevine himself was a man who, by his frequent connection with the rebels, had, as you formerly remarked, acted so as to lose the countenance of his own country. It would have been right, therefore, to have regarded him as amenable to the laws of China; but as he has now met his death by the upsetting of the boat, there need be no further discussion about him." (*Ibid.*, part I, 1867, pp. 462–478.)

[1] "American Diplomacy in the Orient," p. 159.

discussions. Mr. Berthemy, the French minister, was equally friendly.

The next step was to bring the question before the Chinese in such a way as to succeed. This was first done by conversation; then by an elaborate unofficial memorandum containing reasons for action which might be used among themselves. Finally, it was agreed that I should address to the Prince a formal request which might become the basis of a proclamation. This I did, as you will learn from the enclosed. . . . The proclamation secures to us such aid as the Chinese may have. They have near Shanghai a few small steamers besides Ward's old force, now under Gordon, well supplied with artillery. Guns may be so placed at the mouths of the harbours as to prevent the cruisers from getting in to take our splendid steamers on the Yangtse or, if they once obtain entrance, from getting out again. If they should go into Whampoa to dock, or to Canton, a gun or two placed at the old Bogue forts would make it dangerous for them. The Chinese custom-house officers are intelligent Europeans who, in conjunction with the Americans at the ports, may be able to do something. I shall set all the machinery at work that I can against the privateers.[1]

A few examples of Mr. Burlingame's appreciation of Chinese interests and of his courtesy toward their public men may be adduced to explain the sincere regard for him which engendered their remarkable proposal at the end of his term of office. By temperament disposed

[1] Burlingame to Seward. United States State Department, "China," vol. 21, March 17, 1864.

to augur well from even the smallest signs of progress, he was called fatuous by unkindly European critics, but there was justification at the time for a policy of optimism when China seemed willing to respond to more generous diplomatic relations. Soon after arriving at his post he reports the adoption by China of a national flag in a sentence which, to old residents weary of waiting for a real change of the Chinese heart, must have been little less than irritating. "Surely," he exclaims, "the words immovable Chinese civilisation have lost their significance. By this act the Imperial Government, casting down the last shred of its exclusiveness, confronts us with a symbol of its power and demands a place among the nations." [1] Of course they were themselves unaware of any such intention, yet it is true that in consenting to this innovation the Chinese implied their desire to be ranked with other nations in at least one practice common to the rest of mankind. The appointment to a seat in the Tsung-li Yamên of Siu Ki-yu, a former provincial governor, who had been degraded in 1842 because of a favourable notice of America in a published book, suggested to Mr. Burlingame the gift of a portrait of Washington by the United States

[1] Burlingame to Seward, October 27, 1862.

Government, as a fitting recognition of his tribute to that great statesman. When the picture was presented with due ceremony the impression produced may be fairly said to have affected the whole of educated China.

A greater service to the enlightenment and welfare of that land, but one less appreciated by its inhabitants, was the minister's proposal, which found favour with the officials, to employ Professor Raphael Pumpelly — visiting Peking during the autumn of 1863, after completing a geological investigation in Japan — to make a report on the coal measures near the capital. The significance of the permission thus obtained can be understood only when we remember that the conservatives were most jealous and fearful of allowing foreigners to secure precisely such information as this upon the mineral resources of the empire. It was Mr. Burlingame's plan to interest the high officials in exploiting these resources for the profit of the state and involve them logically in the necessity of applying railways and engines, when they should see for themselves that their business demanded such things. This expectation was not justified, indeed, because those officials had no loyal conception of advantages to the empire as distinguished from their personal benefit; but the

eagerness of foreigners to exploit their mines at once alarmed the native mind, none too anxious at best to tamper with the mysteries of science and nature, and pushed them in their terror into increasing obstinacy of refusal. It may be contended that Mr. Burlingame was deceived, and that the mandarins were playing upon his abounding good-nature, but the fact remains true that, judged merely from the lower motive of a *quid pro quo*, his trust in their sincerity secured greater concessions from the government in five years than came to foreigners by peaceful means in the following forty.

His insight was less apt to err than the learning and experience of others on many occasions where the personal factor was predominant. The sentiment of personal dignity — "saving the face," as it is called in China — has a more serious meaning there than elsewhere. Realising this, he was ever ready to assuage the feelings of the men with whom he was called to deal, and, if need be, to avoid pressing an unpleasant point until unpleasant language became necessary. Had proper attention been given by other foreigners to the susceptibilities of people of old-fashioned culture, the paths of diplomacy might have been pleasanter and have led, perhaps, to more profitable results in the Far East during

the past half-century. Mr. Burlingame's benign consideration, though temperamental in its origin, was an essential factor in his diplomacy, and it paid. As the American people have lately been reminded by Dr. Wu Ting-fang's intrepid sarcasm, "China is not like America, England, or any part of Europe. We have been thought to be a peculiar people. We are peculiar in some ways — in politeness, civility, and in manners." [1]

As objections to Mr. Burlingame's work in China were chiefly based upon the charge that he was much too easy with a people deeply versed in the arts of chicanery, it is proper here to quote a characteristic letter in which his principles of action are briefly set forth:

I have the honour to enclose a correspondence in relation to smuggling and arrests on the Yangtse. The strictures of the Prince upon Mr. Seward are alluded to in dignified language in my reply, and were subsequently made the subject of satisfactory explanations. . . . The trouble here is that the local authorities, desiring to make a show of activity, send up the most exaggerated statements in relation to everybody and everything. The consuls form a fruitful subject of their attack; but learning at length that their statements are not permitted to go unchallenged, the local Chinese officials are be-

[1] Speech at the annual dinner of the American Asiatic Association in New York, September 20, 1909. (*Journal American Asiatic Association*, vol. 9, p. 266.)

coming more cautious. The authorities here, exasperated at the undeniable violations of the treaty by lawless parties, are too apt to confound respectable merchants with smugglers and rebels and to use the same language in reference to all. Time and patience alone are required to correct these things. I do not reply in kind: if I did, the controversy would be endless and fruitless. My practice is to correspond as little as possible, and then to make my letters brief and plain. This course gradually wins their respect and leads them into more respectful style. Nothing confuses these men more than to let them know that you think they have been wanting in politeness. I am trying with my colleagues to secure a mixed commission, which will at least collect evidence not to be denied by either party. Now both parties send up the most confusing and contradictory statements. From these I say one thing and the Chinese another; from this unpromising attitude we seek an equitable solution of questions. In the interests of justice I sometimes go to the verge of diplomatic propriety in seeking to controvert what I may deem the false statements of their officials.

The Chinese feel sensitive when I give more weight to our people's statements than to those of their people. In an enclosure you will find a significant illustration of this feeling, where they express the hope that as they believed my statements in the Scotland case, that I will believe theirs as unquestionably in turn. I write the above to show the difficulties of the situation and to explain the correspondence which I sometimes send you. I believe my relations with them were never better than they are at present. Our frequent interviews have made

us well acquainted and strengthened our faith in each other.[1]

During an absence on leave in America between the spring of 1865 and the autumn of 1866, Mr. Burlingame was able to advise the department of state upon the condition of affairs and to discuss with the secretary some proposals for future activity in China. Mr. Seward was personally a cordial supporter of his policy there, but in the turmoil of reconstruction after the Civil War little interest in the East could be enlisted from Congress or the politicians of America, and nothing was accomplished. One suggestion embodied in a dispatch of the secretary, dated December 15, 1865, may, however, be noted as a promoting cause of the first essay made by China to examine into and report upon foreign nations through an agent of her own.

Sir: The harmonious condition of the relations between the United States and China, and the importance of the commerce between them, would make it agreeable to this government to receive

[1] Burlingame to Seward, May 26, 1864. "Diplomatic Correspondence," 1865, part III, p. 382. "While such are our obligations with respect to the foreign representatives in China," he writes Consul G. F. Seward at another time, "they are equally strong toward the Chinese officials, whether native or foreign; for it is through these that we maintain our relations with China, and any want of courtesy or consideration at once reacts upon ourselves and destroys our power for usefulness." (*Ibid.*, p. 430.)

from the Emperor a diplomatic representative of a grade corresponding with your own. It is true that this would be a novel, if not an unprecedented step on the part of that government. As treaties, however, have for many years been in force between China and Christian nations, and as the empire may now be disposed to respect the obligations of public law, it strikes us that the Emperor's Government would be consulting their own interest, and would be reciprocating that which, to a degree, at least, is a courtesy on our part, by having a diplomatic agent here, whose province it would be to see that our obligations toward China, under the treaties and law of nations, are fulfilled, and who might report to his government upon that and other interesting topics. China also may be said to have special reasons for the measure in respect to the United States, as her subjects are so numerous in this country, particularly in California. You will consequently bring this matter to the attention of that government, and may say that, if the suggestion should be adopted, it would be peculiarly gratifying to the President.[1]

This document was obviously intended to be shown to the Tsung-li Yamên, and was forwarded to Mr. Williams, the chargé in Peking, who could be trusted to soften in translation its slightly patronising tone. It may have quickened the resolve of that body to accede to a proposal which had often before been made to them, though, as Mr. Williams reports:

[1] Seward to Burlingame, "United States Foreign Relations," 1866, part I, p. 487.

They have acted in it now without any urging, and apparently from a conviction of the benefits which they may derive; so that, being quite voluntary on their part, the step is regarded by the diplomatic body here as an advance in the right direction. The delegate sent on this mission is Pin-Chun (addressed as Pin-tajin), who has been acting for two or three years as revisor of custom-house returns, in connection with the foreign inspectorate, and has thus been brought into contact with foreigners and learned as much of their countries as his opportunities allowed. Before leaving the capital he was raised to the third rank, and formally introduced by Prince Kung to the foreign ministers on their New Year's visit as his agent to their respective countries, sent on the part of the Foreign Office. His instructions require him to make careful notes on the customs, peoples, and all objects of interest in the lands he visits. . . .

This mission from China to the West will be of great benefit to this government, if Pin-tajin brings back such an account as will encourage it in its foreign policy. It is, perhaps, better in some respects that the first attempt to break through the policy of the empire should be by sending a private agent, who can report without further committing the government; see other lands, as it were, with his own eyes, and test, in some degree, the descriptions that have been given it of those regions. It seems to me desirable, therefore, that while the party sees whatever is deemed most worthy its inspection, no great éclat should be made during its short stay in America. Since the appointment was made the Foreign Office has been much pleased at the approbation unexpectedly evinced by other high officials

in Peking at the move, and consequently their interest in its result will be increased.[1]

But China was in no real sense ready for the results of such an adventure. An infinitesimal minority of her governing class had profited, indeed, by the instructions of a few foreigners and adjusted themselves to their novel position in relation to Western countries; yet there was no such agreement between Oriental and Occidental as these friendly interviews at the foreign office seemed to imply. Even if there had been, the essentially democratic nature of Chinese control would have made it impossible for the central authority at Peking to impose a totally new policy upon the empire — as Japan was doing at the time — without first converting the literati class throughout the country. Pin, as it transpired, was a mere pawn pushed forward upon the chess-board of Chinese politics; he was not even allowed by the obscurantists to publish a report upon what he had seen. His interest to us lies solely in the fact that in sending him abroad the government admitted that it could do such a thing; but his "mission" was hailed at the time by foreigners as the har-

[1] Williams to Seward, March 10, 1866. One of the attachés of this party, Chang Teh-ming, served subsequently as Chinese minister to Great Britain. The "mission" is described in Miss Bredon's "Sir Robert Hart," London, 1909, pp. 112 *ff.*

binger of a new era, and "commended so warmly by the foreign ministers to their governments that the emissary was received like the Queen of Sheba by King Solomon, and shown — at least in Great Britain — everything that was admirable from the Western point of view. He was as far, however, from appreciating the triumphs of science as was Cetewayo the Zulu, whose admiration of England focussed itself on the elephant Jumbo at the Zoological Gardens."[1]

It is easier, however, to philosophise upon the vanity of expectation a generation after the event than to foresee the sterility of a hope before it is proved to be baseless. The time had not yet come to despair, although on Mr. Burlingame's return to Peking the foreign envoys there had begun to realise that it was useless to anticipate great results from their attempts to infuse vigour into the Central Government. Its policy of inertia seemed at once the easiest and most effective means of withstanding the demands of those preposterous outsiders. "The stimulus or the fear (writes Mr. Williams, August 10, 1866), caused by the approach of foreign troops to Peking six years ago is losing its former potency. It is very wearisome to be obliged to constantly urge the members of the

[1] Michie, "The Englishman in China," II, p. 137.

Foreign Office to do their duty, and oblige the local authorities to fulfil treaty stipulations whenever our citizens suffer wrong, while, at the same time, one feels that they either cannot, or will not, or dare not, act efficiently. I think sometimes that they have become utterly discouraged with the multiplicity and urgency of the questions and grievances brought before them for settlement and reparation." If the few officials friendly to foreigners had fallen away from their earlier *rapprochement* during Mr. Burlingame's absence, it was true conversely that a growing indifference was shown by his confrères in the legations toward his idea of co-operation. The practical disability of this idea arose from its moral elevation; it was, in a way, a counsel of perfection requiring not only patience, but repression, to effect its perfect work, and repression involved the restraint of impatient groups of merchants at the ports, who had from the outset flouted any notions of morality in dealing with Asiatics.

In the important matter of amending the scandal of coolie emigration from China, the foreign ministers found a comprehensive national agreement difficult at first, but they pursued, on the whole, a consistent and creditable policy, which after some years stopped the evils of

kidnapping and deporting Chinese labourers. Other questions were not so obviously determined by plain ethical principles. The regulation of pilotage at the open ports, for example, had been rendered difficult by jealousies among European pilots, the English especially claiming, with the consent of their minister, that British ships should be brought in only by British pilots, while these were also to be allowed to serve the ships of other nations. Here again, after some friendly discussion, the business was not only amicably concluded, but was made the basis of a larger determination. Mr. Burlingame

opposed these regulations as illegal and unjust. This view was entertained by the French, Prussian, and Russian representatives, as well as by Sir Edmond Hornby, the British chief-justice at Shanghai. Sir Rutherford finally suspended the regulations from operation. We thereupon entered into relations with the Chinese Government with the view of adopting a uniform system which might be supported by all. Mr. Hart, inspector-general of customs, had previously suggested that all matters relating to pilotage should be placed under the control of the commissioner of Chinese customs. This suggestion was, after much discussion, unanimously adopted — first as a matter of right to the Chinese, and second as a matter of convenience to ourselves. The result was the preparation and adoption of the fifteen regulations herewith sent. These

were mainly drawn by Mr. Bellonet, French chargé d'affaires.[1]

Mr. Hart's sensible proposal, that all matters pertaining to the conduct of foreign shipping in Chinese waters be placed in charge of the imperial customs service, comprised as a corollary relegating the tonnage dues for building lighthouses, setting buoys, dredging, etc., the results of which have been the present admirably marked and lighted harbour entrances along the China coast — an illustration of the justice of Mr. Burlingame's contention that a "matter of right to the Chinese" involved a "convenience to ourselves." [2]

The inevitable conclusion had been forced upon his mind during six years of close obser-

[1] Burlingame to Seward, May 1, 1867.

[2] His uniform agreement with and approval of all that Mr. Hart advocated for the betterment of China's position is rather striking. He saw nothing necessarily inimical to his own country that conveyed an advantage to China. In conjuction with his colleagues he urged upon the Chinese the importance of telegraphs and railways, but he wisely refused to press the matter against their scruples, however inconsequent these seemed. In their gratitude for his services in the Lay-Osborn Flotilla affair the Tsung-li Yamên assented verbally (in March, 1865) to the laying of an American cable along the coast from Canton to Shanghai, touching at the various treaty ports. "This is the only thing," he writes, "resembling a grant ever made to any one. It should be understood that a grant to me, under the favoured-nation clause, is a grant to all. The first to occupy the ground will have the advantage, but more than this I cannot say. I have persistently refused to advise the company, or any one else, to risk money; and however much I should be pleased as a patriot to have Americans build the first line, I must still respectfully hold that position." (Burlingame to Seward, May 22, 1867.)

vation, that no real revolution in Chinese polity could be expected except from the slow process of education. Wars and "object lessons" had driven the government only so far as fear could force them; they had failed to convict them of unsound or discreditable conceptions of statescraft. For this reason he reports with characteristic enthusiasm two memorials to the throne, recommending the establishment of a government college for instruction in the arts and sciences of the West. The proposition owed its inception to Mr. Hart, and contemplated at first merely the expansion of the *Tung-Wên Kwan*, a school of languages instituted in 1862, and conducted by the distinguished American Sinologue, Dr. W. A. P. Martin. Like other promising projects in China it failed, through the rancour and obstruction of the literati, to meet the expectations of its sponsors or to develop, as was hoped, into a true university where Chinese and Western courses of instruction could be merged into the same curriculum. It is unnecessary to enter here into the history of the *Tung-Wên Kwan* until its suppression at the crisis of the Boxer outbreak; it accomplished all that was possible in the face of official antagonism and lack of support from even those who pretended to be friendly, but the argu-

ments advanced in the memorial advocating its enlargement in 1867 are the same which China has since acknowledged to be the foundation for her existing educational policy. These arguments, revealing the better side of Chinese character, to which Mr. Burlingame was always quick to respond, were welcomed by him as an indication of the success already achieved by the line of conduct he advocated.

Could there be a greater evidence of progress than is disclosed by these papers? I marvel as I read them, and call your attention to them with infinite pleasure. When I came to China, in 1861, the force policy was the rule. It was said: "the Chinese are conceited barbarians, and must be forced into our civilisation"; or, in the energetic language of the time, it was said, "you must take them by the throat." Fortunately, the representatives of the treaty powers did not listen to this view. Conspicuous among these was Sir Frederick Bruce, the British minister, who with his colleagues said that if force was ever necessary the day for it was over; that we were in relations for the first time with the chiefs of the government, and that it was necessary to proffer fair diplomatic action as a substitute for the old views, and to so bear ourselves as to secure the confidence of this people. Accordingly, the policy was adopted of which you have been advised so often, and which you have approved so fully. Under this policy great development has occurred, missions have extended, trade has increased threefold, scientific men have been employed, "Wheaton's

International Law" translated and adopted, military instruction accepted, nearly one hundred able men received into the civil service, steam-boats multiplied, the way slowly opened for future telegraphs and railroads, and now we have this great movement for education. Against this movement there has been continued opposition among the Chinese, and it has been frequently endangered by the inconsiderate action of foreigners impatient of delay; but there has been no successful reaction, and the intention of those now in authority is to go cautiously and steadily forward.[1]

There has never been a moment since these hopeful lines were written when some of her own earnest and patriotic sons did not desire China to "go cautiously and steadily forward." Could they have counted upon the author of this dispatch during the years of reaction that were to follow, when new antagonisms and well-founded fears of partition by European powers paralysed their plans for reform, it is not impossible that, under the ægis of this man's influence, China might have accepted their leadership and accomplished her great task without incurring chastisement at the hands of friend and foe alike.

Of the missionary problem — called by Sir Rutherford Alcock "the main cause of disturb-

[1] Burlingame to Seward, April 10, 1867. The memorials referred to are printed in full after the dispatch and are abundantly worth perusal as specimens of sound reasoning applied to meet the arguments of the opposition.

ance in our relations with China, and of danger to the Chinese Government itself no less than to all the foreigners resident in the country" — little is seen in Mr. Burlingame's published correspondence. The reason for this may be considered to be the same as that which renders the history of most happy states dull; in this decade of planting new missionary stations in the empire the suspicions and collisions inevitable in a religious propaganda had not developed into a recognised opposition. The first revelation to the Chinese mind of possible dangers involved in militant Christianity appears to have come with the French punitive expedition to Korea, in 1866, when M. de Bellonet, the chargé, demanded that China, as suzerain of that state, should punish her ruler for the slaughter of Catholic priests and converts there, failing which he declared his resolve to take the affair into his own hands and annex the Hermit Kingdom to France.[1]

The Tientsin massacre of 1870 may not unjustly be accounted a sequel to this stroke of French policy. In their first efforts to secure

[1] The expedition was a melancholy failure by which France may be said to have "messed things" for Europeans of all nationalities in the Far East. "It revealed," says Mr. Michie, "the innermost hearts of the foreigners with a vividness not to be forgotten; it was the whole missionary question, from the Eastern point of view, in a nut-shell. To violate the laws and teach the natives to do so, and then appeal to

redress for this outrage, which occurred, it will be remembered, in the opening month of the Franco-Prussian War, the French appealed to the co-operative principle; but in their action since that time there has been no further sign of their acceptance of that plan so far as missionary activities are concerned. This, however, was a development of international relations with China subsequent to Mr. Burlingame's career. It may be an idle speculation to guess what his presence in Peking might have effected in influencing Chinese policy after 1871, but what his attitude would have been toward "aggressive" apostles of the faith may be inferred from his statement to Mr. Seward (May 27, 1867): "You will observe that in my dispatch to the members of the Foreign Office I disclaim the right to interfere between the Chinese and their own authorities in questions submitted to the Chinese legal tribunals, and that in my letter to our consul, Mr. Lord, while I propose to maintain treaty stipulations, I intimate that the Chinese Christians should not

foreign governments to back them in this insidious form of rebellion — that was the function of the missionaries. The foreign government thereupon lays claim to the territory, and so the conspiracy is crowned. In the face of such an unveiling of motives, the chance of the Chinese statesmen being led by the friendly counsel poured constantly into their ears by the foreign ministers in Peking must have been small indeed." (A. Michie, "The Englishman in China," vol. II, p. 177. See also "United States Diplomatic Correspondence," 1867, II, p. 419.)

be encouraged to expect protection by forcible intervention on the part of the United States. This is the only course to pursue unless we are prepared to enter in China upon armed propagandism." The American missionaries in Ningpo had in this case appealed through their consul to the minister to check by his interference a rising anti-foreign spirit, as shown there in the persecution of converts in secular charges by local authorities. The aggravations arising out of such cases are certainly very great. The question is too complex to be dismissed by the historian with the easy reflection that the minister's advice, render unto Cæsar the things that are Cæsar's, would, if consistently followed, have been the cure-all for thirty years of trouble which ensued. Yet experience in China has on the whole justified the Burlingame position as the right one — that native converts cannot be profitably protected from their own officials by foreigners, even when they suffer unjustly for the truth's sake.

From this summary of his official relations it is scarcely an exaggerated estimate to discern in Mr. Burlingame the adviser who, more than any other, saved China in the period of her greatest peril from the sort of national shipwreck which Korea has met in recent years through similar

recalcitrance and ignorance of foreign states and their power. In defence of this contention it is not necessary to call him a negotiator intellectually supreme above his fellows; he had, as it happened, just the qualities adapted to his task. Such genius as he possessed was applied to the highest advantage where a policy depended for its success upon certain principles clearly conceived and persistently maintained. He was effective, as has been shown, through proclivities of mind and disposition rather than by reason of training in the traditions of diplomatic intercourse between the states of Christendom; but, for the manner in which he reached conclusions well justified by subsequent experience, and in dealing with novel and unexpected conditions, he deserves the title of a diplomatist of original and constructive talent. His success was secured by the exercise of patience and reserve under circumstances that were often difficult and almost always aggravating. His influence endured because he was determined to allow nothing to disturb the confidence already won from the statesmen with whom he was commissioned to deal, and never greatly to anticipate their desires. He perceived that their reluctance was not necessarily the result of bigotry, that the habits and conservatism of

centuries could not be reversed in an hour. If China was to remain an independent power, there was really no legitimate alternative to his plan; if she was not, America had little to hope and everything to lose from a contrary policy of armed intervention and subjugation by European rivals. And if from motives of sympathy and sagacity Mr. Burlingame became sponsor for this policy, the logic of his reasoning was discreetly acknowledged by the representatives of Great Britain.

If foreign powers (writes Sir Rutherford Alcock, the British minister) would guide and not coerce this people, they must begin by convincing and persuading them. If it be a question of compulsion, and forcing upon them changes in their system of government and administration, backed by such foreign appliances as railroads and telegraphs, the treaty powers should be prepared to take upon themselves the whole responsibility of the measures and provide their own machinery for governing the huge empire under a protectorate, or a general dismemberment and division of the fragments. Conquest and occupation have been spoken of; but it is difficult to see to what uses — political, military, or commercial — any portion of China could be applied by European powers; and if not prepared to enter upon an enterprise of this kind, they should be slow to adopt a policy paralysing all national development and directly leading to such an issue.[1]

[1] Alcock to Lord Stanley, December 23, 1867. ("Parliamentary Papers, China, no. 5 (1871)," p. 84.)

At the time of Mr. Burlingame's arrival in China the foreign envoys had, as we have seen, decided to stand by the Imperial Government in its efforts to check the Tai-ping insurrection, an uprising which was manifestly a revolt against law and order. Had they decided otherwise and let anarchy have its way for a time — losing in the turmoil their trade and all other interests in the empire for perhaps a generation — they might have had at last a *tabula rasa* upon which to write a new constitution for another China. But in electing to support the old régime, clogged as it was with corruption and irrational misconceptions, they were logically bound to await the slow process of regeneration to be effected by educating a people, and by the gradual introduction without violence of new methods which would commend themselves to an awakened nation. This postulate the Western traders, anxious as to cash profits, could not understand, nor would they credit the grievous disabilities under which the government laboured. Influenced by selfish desires, Europeans were, for the most part, as blind to the real issues as were the Chinese to the advantages offered them from abroad. It required a man of uncommon equanimity to stand firmly against the aggressiveness of one party and the repugnance of the other.

THE GENESIS OF THE MISSION

SOME understanding of the cross-currents and conflicting purposes inevitable in the conduct of such a governmental system as that of China may be derived from a perusal of the correspondence already examined. Since the opening of Peking the government and dominant class in China had striven tenaciously against foreign aggression, and if little had been gained, in their estimation, the foreigners had, at all events, been halted in their advance and secured no further concessions of territory or privilege. But while the Chinese were a unit in opposing any advent of foreign control, there were variations both in attitude and purpose among their parties. As Prince Kung and his coadjutors in the Tsung-li Yamên had received enlightenment through personal intercourse with the official representatives of foreign states, so the tradesmen at the ports, through a profitable interchange of commodities, had acquired some appreciation of the value of the foreigner's trade, and even some toleration for his mechanical con-

trivances and standards of material comfort. Between these two groups lay the vast *bolus* of an educated but unenlightened China, ignorant alike of the substantive weakness of their own country and of the strength of others, satisfied with a culture which had dominated half a continent for thirty centuries, as fiercely jealous of the native who conceded a single point to the adversary as of the enemy himself and his hateful conceits. And as far above all of these as the inscrutable proletariat was below, stood the palace, invisible to the eye of the outsider as it was inviolable to every new idea, a nursery of corruption, powerful in exalting or demolishing individuals, but incapable, through its ignorance of real conditions, of pursuing a consistent policy. The actual governing power was thus rendered impersonal, and shuffled from hand to hand, with no one who could be held specifically responsible for its effectiveness.

The end of the decade was to bring with it the date upon which a general revision of the commercial provisions of the British treaty of Tientsin might be demanded.[1] The British Government does not appear to have been eager to

[1] The French treaty gave twelve years from the date of its ratification, which would have made its revision due in 1873. Of course the most-favoured-nation clause made any advantages secured by one nation the common possession of all. In this case the others proposed to stand by and let her Majesty's representative negotiate.

attack a problem hedged about with difficulties, nor did its envoy, Sir Rutherford Alcock, advocate the attempt. "The question arises," he argues, "if nothing is to be gained by demanding a revision which may not be as well obtained without — whether much would not be lost, and an opportunity thrown away which might, by reserving the right, be turned to better account when the Emperor's majority is declared. I believe the true policy of foreign powers would be to wait." [1]

Such revision as the foreigners contemplated necessarily involved correction of abuses and further privileges that implicated the provincial governments and affected the settled polity of China. No great constitutional change can be rightly estimated from one stand-point alone. There are always at least two aspects: its immediate effects, which may be partially foreseen, and the indirect results of the new forces set in motion, which no one can measure. The matter is further complicated if cognisance must be taken of extraneous pressure. In the case of

[1] Alcock to Lord Stanley, November 15, 1867. "Correspondence Respecting the Revision of the Treaty of Tientsin," 1871, p. 56 — a dispatch full of wisdom. "No nation," he declares in the same paper, "likes the interference of a foreign power in its internal affairs, however well-intentioned it may be, and China is no exception to the rule. On the contrary, their pride of race, and what they conceive to be a real superiority in civilisation to all outside nations, renders them peculiarly restive under the goad of foreign impulsion."

China the uncertainty of any fundamental alteration brought about through foreign dictation has been greatly increased by their ignorance of her real needs and their indifference to the sensibilities of the people. However imperfect their administrative system in the eyes of Europeans, the fact remains that it has served its purpose and its people extraordinarily well. Its service and long continuance are not, indeed, reasons for leaving it untouched by new influences, but the gravity of altering the relations between rulers and people in such a vast commonwealth demands extreme precautions. First among these would seem to be the necessity of recognising the fact that despite her autocratic forms China is really ruled with the consent of the governed. The mass of the common population believe profoundly in their ancient traditions and in customs and "superstitions" which Western peoples deride. In view of their independence and of the enormous resisting power of this mass the imposition of great innovations against its desire induces fierce and persistent opposition directly menacing the existence of the government. The small group of enlightened officials who were willing to encourage the introduction of such foreign inventions as might be adapted to the needs of China found them-

selves, then, confronted not by a theory but by a situation. To force these changes upon the economic and social life of the Emperor's subjects before either rulers or people were prepared for them was to court revolution. Not only was the reluctance of these advanced officials justified, but it became the duty of the representatives of those foreign nations who wished to see the unity of China preserved, to assist them in withstanding proposals that might discredit and ruin the empire. Short of this the diplomatic body in Peking could not stop consistently, with the Burlingame policy of "let alone" openly avowed by the Four B's and approved by their governments. To act otherwise was to plunge China once more into the abyss of anarchy from which their own statesmanship in the Tai-ping rebellion had rescued her.

If, however, the alternative of a break-up of China was discarded — as it had been — there remained the other course, that of intervention to secure necessary reforms. As official corruption and popular prejudices were the underlying obstacles to a proper observance of the treaties, the domestic politics of the empire became an object of concern to the foreign powers. Success in so delicate a business as this, confronted as they were by the superciliousness of

the palace and the precipitancy of the treaty ports, demanded harmony among the foreign governments upon the principles at issue. This was the other element of the Burlingame policy, the co-operative idea, seen to be more and more essential if China was to be preserved intact. Race antagonism and a certain contempt for Asiatics entertained by most Caucasians had developed a predilection for arbitrary methods on the part of the European mercantile class in the Far East, but the attitude of their governments had thus far been favourable to maintaining a fair field for the independent governments of China and Japan. Happily no question of frontiers in the remoter parts of Asia had become acute at that time, as in the case of the Near East, and the number of powers intimately involved was limited. Their merchants could easily be made to recognise the inexpediency of imperilling business by bringing on anarchy. The political situation could be saved if the two policies identified with Mr. Burlingame could be faithfully continued and the merchants shown that another course meant loss. Complications which the future would bring, with its increased facilities for transportation and more numerous competitors in the trade, might destroy forever such an opportunity for co-operation as this.

The author of these policies became thus their logical exponent before the world.

Some indecision is evident on the part both of China and Great Britain during the year 1867. But in facing the unknown in human affairs the most difficult thing to do is to wait. Unhappily, while Mr. Burlingame had been absent from his post there was no advocate either in London or Peking of the let-alone policy sufficiently exalted to enforce the admirable reasoning of Sir Rutherford and compel a course on the one hand of refraining from meddling and dictation, and on the other, of submitting Western culture to considerate study. Pandora's box was opened on the very inadequate premise that "it was time something was done." To prepare for a discussion that was not necessarily immanent memorials on the subject of their grievances were invited by the British legation from its nationals in the open ports; the minds of all Europeans and of the watchful Chinese became tense. An analysis of their wants showed "three or four cardinal defects, not of the treaties so much, as in their execution." These pertained to inland and local taxes on foreign goods, facilities of access and communication with the interior of China, — which involved, of course, pleas for the introduction of steam locomotion and telegraphs, —

privileges for working mines, and the establishment of an international tribunal with securities for execution of awards against Chinese debtors or defaulters. Anticipating, now, some formal consideration of these desires, British merchants naturally exerted all the pressure they could to bring about a general revisal of those checks and restraints under which trade had been conducted since the Arrow War. By the end of 1867 the Chinese and foreign elements engaged in commerce were profoundly stirred by the hopes and fears involved in a rearrangement of the status quo.

In the complex and delicate situation of parties — if such they may be called — in China at this time, it is impossible to deny that this *bouleversement* was an unfortunate hazard for her more progressive statesmen. It gave fresh ammunition to their opponents, the "Old Guard" of Chinese politics, and renewed former apprehensions that the foreigners proposed to bring about a rupture which should involve new conquests and further control. To the more responsible among them this was a dreadful crisis. They credited all foreign nations alike with insatiable avarice; they had really never understood why the invasions of 1840 and 1858 had been hurled against them; they saw that they

were as helpless before Western attack now as ever before; they realised that the foreigners — "barbarians who never considered justice" — had everything to gain and nothing to lose by instigating a fresh war. Goaded on by their fears and by the recriminations of their repulsive critics, they called upon the satraps in the provinces for advice. All China, native and foreign alike, was agog.

The secret circular addressed by the Tsung-li Yamên to the higher civil and military officials upon the barbarian question is of interest as exhibiting their view of the difficulties and dangers of the situation. They describe the foreigners as united in interest, while there was no one in the empire who could create disunion among them. It was necessary to be patient and humour them until such time as China might be vigorous enough to drive them all out of the country and return to her old isolation. Meantime, a rupture must be avoided at all hazards, and to this end suggestions were required upon the topics likely to be discussed at the conferences upon a treaty revision. These points were: the demand for imperial audience, for an embassy or permanent missions to foreign countries, telegraphs and railways, residence of European merchants in the interior, mining and salt privileges, and Christian missions. All of the

memorials received in answer to this invitation were characterised by sense and frankness, not unmixed, however, with fantastic proposals, the natural result of ignorance of the outer world. The replies of two viceroys may be briefly noted here as representing the best intelligence of China at this conjuncture.

That of Tsêng Kwo-fan begged "to suggest that in all our intercourse with foreign nations the most important things to be regarded are *good faith* and what is *right*, and perhaps even above these should be placed *decision*. Those things which we cannot yield should, from first to last, be firmly declared and not retracted under any circumstances; but those privileges which we can liberally yield might be made known to them in direct and plain terms." Against steamers, railways, and telegraphs he advanced the economic objection that native carriers and boatmen would be driven to starvation, but he approved of opening mines and employing foreign machinery. As to the audience, he rises to a position far in advance of his class and of the clique that controlled the Empresses-Dowager: "Our sacred dynasty, in its love of virtue and kindness to those from afar, has no desire to arrogate to itself the sway over the lands within the boundless oceans, or require that their ministers should render homage; and

it will be suitable if, when your Majesty yourself takes the reins of government, they request an audience to grant it. The suitable presents and ceremonies can be settled at the time; for, as the envoys represent nations of equal rank, they need not be forced to do what is difficult." He also advocated sending embassies abroad if fit envoys could be found; "seeing that this point has for its object the honour and prosperity of his Majesty, and the smoothing over of difficulties, it seems best, on the whole, to accede to it." Christianity, he thought, would never secure many converts in China, and might therefore be discussed without bitterness or apprehension for the future. "Should the day come," he concludes, "when China gets the ascendant and foreign nations decay and grow weak, we then should only seek to protect our own black-haired people, and have no wish to get military glory beyond the seas. Although they are crooked and deceitful, they yet know that reason and right cannot be gainsaid, and that the wrath of a people cannot be resisted. By employing a frank sincerity on our part we can, no doubt, move them to good ways, and then everything will be easily arranged to satisfaction." [1]

[1] "United States Diplomatic Correspondence," 1868, I, p. 519. This and the following memorial were never published, but came into the hands of foreigners through *yamên* runners. Sir R. Alcock subsequently

Li Hung-chang, at that time viceroy of the Hu-Kwang, reported even more favourably than his colleague at Nanking upon the propositions submitted. He conceded the audience, envoys abroad, and the use of steam and electricity, as requests that might with propriety be granted, and considered the matter of extending missionary activity beset with greater difficulties than the rest, but not beyond settlement. He was, in fact, disposed to regard none of the questions as outside of the scope of amicable discussion, the danger in the situation being that foreigners might use force to extort concessions if not handled carefully. Yet he credited none of the nations (except Russia) with a desire to divide and occupy China, "for the reason that, with the exception of Russia, foreign countries are all too distant from China, and the acquisition of its territory would be nothing but an embarrassment to them." [1] Perhaps the most sig-

wrote some valuable comments upon them in his articles entitled "Chinese Statesmen and State Papers." "It goes far to prove the authenticity of this document, although it cannot be strictly vouched for, that the negotiations which followed for the revision of the treaty the year after were carried on by the Tsung-li Yamên very much in the spirit here recommended, and otherwise in perfect accordance with the advice tendered. On all matters not involving, as they conceived, the peace and security of the people, either by their startling novelty or sudden displacement of capital and labour, they yielded with a good grace; on others, such as railroads, telegraphs, the admission of salt, and unrestricted residence in the interior, they resisted steadily, and were immovable." (*Fortnightly Review*, May, 1871.)

[1] He learned better before he died.

nificant item in Li's memorial was his advice to Chinese officials to cultivate intimacies with foreigners. This had been his own practice; "he has found that no matter what they are engaged in, they act honourably without deceit or falsehood. But, although it is possible to acquire a general knowledge of their own affairs, yet there is no means of becoming thoroughly acquainted with the details and motives of their conduct." [1]

The sense and candour of these two memorials, though characterising only the most advanced thought of the time, reveal the sagacity to be found among Chinese statesmen of the higher class and give the lie at once to aspersions — still too common — upon their "childishness" and deceit. Their tone is quite that of memorials which were presented to the government of Japan at that time, and ultimately acted upon to her great advantage. So far from being "hide-bound in their arrogance," these officials acknowledged the physical superiority of foreign nations, and upon that knowledge they based their advocacy of regeneration to save themselves from foreign conquest. They show that a true education in affairs vital to their

[1] The document is very freely translated in Michie's "Englishman in China," II, pp. 185–191.

interests had been progressing since 1860, and that time alone was needed for men of this type to convert the recalcitrant majority of Chinese officialdom to their views. The same leaven which was to work the wonder of the nineteenth century in centralised Japan was fermenting in decentralised China, where it was necessary to carry conviction to the minds of all her educated classes before the empire could be aroused to action. Because the foreigners did not understand this, because they were too impatient to wait, they abandoned a policy which had been advocated with such tenacity and purpose by Mr. Burlingame and his associates, and presently drove the conservative opposition to assume a new lease of control over China. The visible sign of this reversion among the people was an epidemic of anti-foreign demonstrations in the provinces;[1] its manifestation on the part of the Tsung-li officials was their sudden and rather desperate decision to send an embassy to the Christian powers, and entreat their further patience for a slowly awakening nation.

[1] These occurred during the ensuing years, culminating in the famous Tientsin massacre of June, 1870. One in Yangchow, in September, 1868, instigated by the literati, one in Taiwan, Formosa, in December, an attack on missionary buildings at Nanking by students in the same month, another upon a British boat's crew by villagers near Swatow, in January, 1869, and another at the same time on a Catholic community in the province of Szechwan.

Conjecture was rife among foreigners in China at the time as to her probable reason for creating such an embassy. The fact that it was quickly resolved made them conclude the existence of some fresh and impelling motive. They did not reflect that with autocratic rulers such decisions are not infrequently the outcome of sudden inspirations, and that it is only the long debate demanded by constitutionally governed states which prohibits an impulsive venture. Suggestions to this end had been made often enough both by foreigners and their own officials, so that the project itself could hardly be a novelty to the Imperial Government. The Empress-Dowager Tsz Hsi was impulsive by temperament and quick to act when mastered by a new resolve. Her confidence in Prince Kung was at the time complete. We have seen that his feeling toward Mr. Burlingame was rather more kindly than toward any other foreigner at the capital, and that he looked upon him as a friend of China. In the absence of any documentary evidence upon the court view of the incident, it does not require much subtlety to infer that when the Prince proposed sending such an advocate of China to foreign countries, the Empress acquiesced in the suggestion as a venture in which there could be little risk of loss

and might be a handsome prospect of gain. To one of smaller intellectual calibre such a step would have been repugnant merely because it was unprecedented, but we know now that the master-mind of China during the past half-century repeatedly acted in this way.[1]

The genesis of the Chinese Mission to the foreign powers is best set forth in the documents published in the "Diplomatic Correspondence of the United States," and presently to be quoted. After resigning his post as American minister by telegram to the secretary of state "in the interests of my country and civilisation," on November 21, 1867, Mr. Burlingame proceeded by cart with his family and a few friends on the 25th to Tientsin. It was characteristic of the disordered state of China at that time that the party should be threatened by a band of mounted brigands, and compelled to find safety in a village en route; it was equally characteristic of the habits of foreigners living in China that help should be sought from the legations in Peking and from a British

[1] Two recent biographies enable us to make some historical estimate of her: Bland and Backhouse, "China Under the Empress Dowager," and P. W. Sergeant, "The Great Empress Dowager of China." It may have been remembered in the palace that an embassy sent by Japan to the European powers in 1861 to request a postponement of the dates when their treaties should come in force had been successful in delaying the opening of Hyogo and Niigata as trade ports for five years.

gunboat lying at Tientsin, while the Imperial Government, whose ambassador was supposed to be in personal danger, did nothing at all because it was not notified of the matter. During a stay of a month in Shanghai awaiting the Chinese members of the Mission, who thought it more prudent to repair thither by mule-cart rather than by steamer, Mr. Burlingame, visited the Viceroy Tsêng Kwo-fan at Nanking. Had that statesman, at the time the greatest man in China, cared to indorse the Mission he might have given it a national character. As it was, he considered it a palace experiment with which the provinces had no concern, and, while receiving the ambassador with civility, gave no public indication of his approval.[1] From Shanghai Mr. Burlingame sent Mr. Seward the following account of his appointment:

You will have learned from my telegram from Peking of my appointment by the Chinese Government as "envoy" to the treaty powers, and of my acceptance of the same. The facts in relation to the

[1] During his absence in Nanking the edict creating the Mission was published. From a contemporary account we learn that while at Shanghai "the high mandarins and government officials in the region round about called on Mr. Burlingame, and manifested in every way the extreme respect in which they held him in consequence of the position in which he had been confirmed and the unprecedented dignity conferred upon him. It was found impossible to prevent them from prostrating themselves before him, and he could only remain passive and receive their attentions." ("American Annual Cyclopædia.")

appointment are as follows: I was on the point of proceeding to the treaty ports of China to ascertain what changes our citizens desired to have made in the treaties, provided a revision should be determined upon, after which it was my intention to resign and go home. The knowledge of this intention coming to the Chinese, Prince Kung gave a farewell dinner, at which great regret was expressed at my resolution to leave China, and urgent requests made that I would, like Sir Frederick Bruce, state China's difficulties, and inform the treaty powers of their sincere desire to be friendly and progressive. This I cheerfully promised to do. During the conversation Wênsiang, a leading man of the empire, said, "Why will you not represent us officially?" I repulsed the suggestion playfully, and the conversation passed to other topics.

Subsequently I was informed that the Chinese were most serious, and a request was made through Mr. Brown, Chinese secretary of the British legation, that I should delay my departure for a few days, until a proposition could be submitted to me. I had no further conversation with them until the proposition was made in form, requesting me to act for them as ambassador to all the treaty powers. I had in the interim thought anxiously upon the subject, and, after consultation with my friends, determined, in the interests of our country and civilisation, to accept. The moment the position was formally tendered I informed my colleagues of all the facts, and am happy to say that they approved of the action of the Chinese, and did all they could to forward the interests of the Mission. J. McLeavy Brown, Esq., Chinese secretary of the British legation, was persuaded, in the common interest, to

act as first secretary to the Mission, and Mr. Deschamps, a French gentleman, who had accompanied Ping on a visit to Europe, was selected as second secretary. Two Chinese gentlemen of the highest rank were selected from the Foreign Office to conduct the Chinese correspondence, and as "learners." My suite will number about thirty persons. I shall leave for the United States by the February steamer for California. I limit myself in this note to the above brief history of the Mission, reserving my reasons for accepting it to a personal interview at Washington.

I may be permitted to add that when the oldest nation in the world, containing one-third of the human race, seeks, for the first time, to come into relations with the West, and requests the youngest nation, through its representative, to act as the medium of such change, the mission is not one to be solicited or rejected.

Among foreigners in the open ports this unexpected action of a government which had been written down as recalcitrant in all matters affecting "progress" was at first cordially approved. Opinion changed when the event belied their expectations, and Shanghai became subsequently the seat and centre of criticism hostile to the Mission. It is interesting, however, to observe that the earlier impressions formed at that port of Chinese motives for its creation were those which are likely to be accepted as the true ones. The Tsung-li officials,

they surmised, were sincerely sorry to lose in Mr. Burlingame the last of the four foreign ministers with whom personal diplomatic intercourse had begun in the capital after the establishment of peace. The Chinese were aware that their national predicament was not realised abroad, and hoped that, after some intimate acquaintance with both their circumstances and intentions, Mr. Burlingame might be able to explain to other governments the dangers which must arise in China from forcing upon her sudden changes for which the majority of her ablest and most powerful classes were as yet unprepared. "The changes they had already introduced," writes a well-informed Shanghai resident, "were really revolutionary, considering the condition of the empire; and while they were progressing, and willing to progress, they could not lose sight of the important fact that upon them devolved the responsibility of governing the empire and maintaining it in its integrity, whereas foreigners, who were free from any responsibility whatever, and but very little acquainted with the wants and political condition of China, called for changes without being themselves perfectly assured that these changes would not, as had already in some instances been the case, prove detrimental to their own

interests. They further urged that it was not necessary, and would be very unwise, to introduce every possible change that foreigners could conceive within the almost momentary space of ten years; but with a steady policy of gradual progress they would be able to advance with security to the empire, and with satisfaction to foreign governments, who fairly considered the dangers and difficulties of their position." [1]

That Mr. Burlingame's quality of magnetism was not without influence even upon the foreigners of Shanghai is evident from another paragraph by the same writer. There, as in Peking, he was the apostle of reasonableness, and the doctrine was novel enough to abate for a moment the distrust pervading the whole attitude of Europeans toward China. Hopes for better things to come could arouse these people to speak generously of the Chinese, but the selfishness of these hopes entailed new bitterness in the end. "I am far from contending," continues Robertson, "that there is no deceit in the Chinese heart, or that the Chinese are anxiously

[1] Letter dated January 8, 1868, published in the *London Daily News*, February 28, 1868, by its Shanghai correspondent, James Barr Robertson. Its value lies not alone in the fact that he admirably represented Shanghai opinion, but that this outline of the Mission's origin was obtained from an interview with Mr. Burlingame, whose views he was willing at that time to publish as his own. Subsequent letters to the *Daily News* show Mr. Robertson and the Shanghai community in a very different temper.

endeavouring to carry out in their integrity the views and wishes of foreigners; and I am far from thinking that foreigners should not endeavour to secure beneficial concessions by upright and liberal treatment of the Chinese. But considering how invariably concessions extorted by force are evaded by Europeans, and naturally and perhaps rightly so, can we expect that this haughty and egotistic nation will bend under the yoke in meek submission? If, armed with the common instincts of humanity, I were to place myself in the position of a Chinaman, I should, unless culpably negligent of my country's honour, feel bitter hostility to intruding foreigners who might come to impose on my country conditions favourable to their own trade simply because in the superiority of their strength they could compel me to submit. I might yield from motives of expediency, but would I hasten to drink the cup of my humiliation to the very dregs? Yet, in spite of the overweening conceit of Chinese mandarins, they have taken some important steps which we are bound to interpret as signs of progress, and these probably in great measure because residence at Peking enabled Sir Frederick Bruce and Mr. Burlingame to introduce with the ultimate depositories of power a peaceful and persuasive policy instead

of the compulsory policy which had formerly prevailed amongst foreign powers in China. Whether these forward movements are due to foreign pressure more than to perfectly spontaneous choice is of no very great consequence so long as they are accomplished facts brought about by peaceful means and without any need of resorting to force. They are valuable acquisitions for the moment, and they are an earnest of similar concessions for which we may not have long to wait."

Some comments of interest to the historian of the Mission are contained in a dispatch from the American chargé, Mr. Williams, to his government. Though arrangements for its composition were all made in the ten days before Mr. Burlingame's departure from Peking, he thinks that "the Prince and other high functionaries had long debated the propriety of the step," and that "the ample powers given to him prove the importance that they attach to the Embassy." The mission of Pin to Europe in 1866, though otherwise barren of result,[1] indicated their willingness to consider the matter of a properly

[1] He made, wrote J. Ross Browne, "a report suited to the views of his employers condemnatory of foreign improvements, and demonstrating that such things are unsuited to China. In consequence of this he was promoted." A partial statement. Pin-Chun's confidential report was never published or seen by foreigners. (Dr. Martin's "Cycle of Cathay," p. 374.)

accredited legation abroad; it was known, indeed, to a few foreigners in Peking that a similar proposition had been made two years before to Mr. Hart. "Some have not entirely approved of placing a foreigner at the head of it, but it seems to me to illustrate the practical character of this people to send as its representative one who would not be liable to the mistakes which would almost certainly be committed by the fittest and best educated native living. The Prince and his associates begin to feel that, in order to maintain their position, they must, as he intimates in his dispatch, send envoys to personally state their case at foreign courts, explain their difficulties, and urge the reasons for their own policy; and they are convinced that none of their own body are qualified for this office. The selection of Mr. Burlingame indicates their persuasion, therefore, that he will do for them better than they can yet do for themselves. The proposed revision of the treaties next year is likely to bring up for consideration many important subjects for discussion, and this has no doubt its weight in deciding them to send him before those points are formally presented." Finally, in order to indicate the advance during a decade in the attitude of the imperial court toward the powers, he contrasts the terms of its

envoy's commission with those employed in the two missives addressed by the Emperor to the President of the United States in 1858 and in 1863. The first of these, sent by Hsien-fêng to Mr. Reed, at Tientsin, begins: "I, the August Emperor, wish health to the President of the United States. Having received with profound respect the commands of Heaven to sway with tender care the entire circuit of all lands, we regard the people everywhere, within and without the wide sea, with the same humane benevolence"; . . . concluding: "The minister of the United States is now at Tientsin, where he is negotiating with our high officers, and their intercourse has been mutually agreeable. As soon as their deliberations are concluded, he should return to Canton to attend to the commercial duties of his office as usual." The second, dated January 23, 1863, was the infant Emperor Tung-chih's acknowledgment of the President's letter, conveyed by Mr. Burlingame: "His Majesty the Emperor of the Ta-Tsing Dynasty salutes his Majesty the President of the United States. On the twenty-fifth day of the seventh moon the envoy Anson Burlingame, having arrived in Peking, presented your letter, which, when we had read it, we found to be written in a spirit of cordial friendliness [breath-

ing] nothing but a desire for relations of amity that should ever increase in strength." [1]

The notification to the foreign legations of the appointment of the envoy to the treaty powers was issued by Prince Kung on November 22. The copy sent to that of the United States reads as follows:

Since the time when the treaties with foreign countries were ratified, the friendly relations between the two parties have daily strengthened. Every matter that has come up for discussion between the representatives of those nations now living at the capital and myself has been deliberated upon with so much sincerity and candour that they have in no case failed to be arranged to our mutual advantage. But all those countries are separated from this by wide oceans, and no envoy has hitherto been sent to those lands, and thus there has been no medium through whom the Chinese Government could personally make known its views to their governments, or explain its policy. But now, seeing that his excellency Anson Burlingame, lately the minister residing here from your honourable country, has such thorough acquaintance with the internal and external relations of this country, and I myself have such entire confidence and acquaintance with him, it has seemed to be feasible for this government now to adopt the customs of those countries who have sent resident ministers to this, and it would, moreover, be exceedingly agreeable to me to com-

[1] Williams to Seward, December 23, 1867. ("Papers Relating to Foreign Affairs," 1869, part I, p. 496.)

mission him as the envoy of his Imperial Majesty's Government to all the treaty powers, to attend to and manage whatever affairs may arise between them. I have already stated this matter in a memorial to the Throne, and yesterday I was honoured by receiving the following rescript:

"The envoy Anson Burlingame manages affairs in a friendly and peaceful manner, and is fully acquainted with the general relations between this and other countries; let him, therefore, now be sent to all the treaty powers as the high minister, empowered to attend to every question arising between China and those countries. This from the Emperor."

A copy of this rescript has been made known to Mr. Burlingame, and this copy has also now been made to communicate to your excellency for your information and action thereon.[1]

The credentials of the mission, as translated by its first secretary, J. McLeavy Brown, and approved by Messrs. Williams, Martin, and

[1] A few days later copies of the rescripts ordering the appointment of the Chinese envoys and of the secretaries were forwarded to the legations. Much was made afterward by the opponents of the Mission of the terms employed in these and the following documents. An erudite but demented German, Johannes von Gumpach, who had been relieved by Mr. Hart from his position as instructor in the imperial college, compiled in 1871 an extraordinary and vituperative volume of 891 pages, entitled "The Burlingame Mission: A Political Disclosure," which is supposed to have been financed by a number of British firms in Shanghai. The work was subsequently suppressed and is now rather rare. Dr. von Gumpach translated the rescript quoted above as follows: "The board for the general control of individual states' affairs, having respectfully submitted that the public messenger P'u-Ngan-Ch'en [Burlingame] transacts business matters in a conciliatory spirit, and is thoroughly conversant with the fundamental relations of the central [state] and the outer [states]: it is hereby ordered, that he be appointed to proceed to the individual states bound by treaty in the capacity of a high official,

Hart — probably at the time the three foremost sinologues in Peking — are as follows:

His Majesty the Emperor of China salutes . . . [the sovereign addressed].

In virtue of the commission we have with reverence received from Heaven, and as China and foreign nations are members of one family, we are cordially desirous of placing on a firm and lasting basis the relations of friendship and good understanding now existing between us and the nations at amity with China. And as a proof of our genuine desire for that object, we have specially selected an officer of worth, talents, and wisdom, Anson Burlingame, late minister at our capital for the United States of America, who is thoroughly conversant with Chinese and foreign relations, and in whom, in transacting all business in which the two empires [names given]

to manage such matters as have arisen, in reference to each individual state, out of the [commercial] intercourse between the central [state] and the outer [states]. The rest according to prevision. This from the Emperor."

Emphasis was laid chiefly upon the unwarrantable freedom of Mr. Williams's translation and on the derogatory terms employed for foreign countries and for envoy. There can be no question of the Emperor's claim of universal supremacy — still a tenet of Chinese orthodoxy — or of the conventional idea of "individual" states being inferior to the middle kingdom. But this and the title of "messenger" constituted a part of the time-honoured phraseology of Chinese diplomacy which the court could not venture to ignore without inviting a revolution on the part of the literati class of China. The California papers, for reasons of their own, evinced a very lively concern in the disparity between translations when the Chinese text was published, but the *New York Tribune* sensibly dismissed the difference as "less a matter of importance than of curiosity." Europeans might afford to treat such assumptions as good-naturedly as the Emperor Vespasian, who was content to reply to the Parthian's "Arsaces, King of Kings, to Flavius Vespasianus,"— "Flavius Vespasianus to Arsaces, King of Kings, greeting." (Rawlinson "Sixth Great Oriental Monarchy," p. 290.)

have a common interest, we have full confidence as our representative and the exponent of our ideas.

We have also commissioned Chih Kang and Sun Chia Ku,[1] high officers with the honorary rank of the second grade, to accompany Mr. Burlingame to [name of capital], where Mr. Burlingame, with the two so appointed, will act as our high minister extraordinary and plenipotentiary.

We have full confidence in the loyalty, zeal, and discretion of the said three ministers, and are assured they will discharge satisfactorily the duties intrusted to them, and we earnestly request that the fullest credence and trust may be accorded to them, and thereby our relations of friendship may be permanent, and that both nations may enjoy the blessings of peace and tranquillity, a result which we are certain will be deeply gratifying.

Dated this sixth day of the twelfth moon of the sixth year of our reign, Tung Chih.

Mr. Williams's commentary upon this letter is of some value:

The preparation and dispatch of these letters of credence marks an advance on the part of this government almost as great as that of sending the Mission itself, although apparently a mere consequence of that act. In order to explain this, it is needful to observe that the board of Foreign Office, notwithstanding its great influence and the high rank of its members, has hitherto no legal existence of itself, but at present consists of the presidents of four of the six boards, viz., civic office, revenue, punishments, and works, and two other high officers, who have

[1] Chih was born in Peking in 1819, Sun in Suchang in 1823.

been detailed to join in its deliberations under the chairmanship of Prince Kung. The members act in it conjointly under the style of the *Tsung-li koh kwoh s'z*, or general managing office of foreign countries; but individually they are responsible also for the conduct of their own departments to the general council of the government. When the desirableness of appointing Mr. Burlingame and his associates as envoys to foreign countries was proposed, the matter was agreed to by the Empress Regents and others, as a proposal of the Foreign Office chiefly, for the success and results of which it was responsible; but when the question of granting them a letter written directly from the Emperor to other crowned heads, indorsing the Mission and requesting them to accept it, the whole traditionary policy of the empire was interfered with; the supremacy of the Emperor as the Son of Heaven, appointed from on high to rule over mankind, was proposed to be practically ignored by his own officers. The propriety of granting the letter was stoutly opposed by many of the members of government, and I am inclined to think that the Mission would have left the shores of China without it if it had not been for the precedent set by the Chinese Government itself, and drawn out of it by the American ministers. In explanation of this remark it may be stated that it has been the usage among most of the foreign ministers accredited to this government not to deliver their letters of credence to the Emperor, because they were not permitted to do so in person; but the American ministers have chosen to hand them to the highest official they could meet, accompanied by an open translation. Replies to two of these letters having been issued, it was argued by Mr. Brown and Mr. Hart (who,

being officials themselves, in the employ of government, were entitled to a hearing), that if his Majesty could personally reply to a letter from the President of the United States without derogating from his authority or dignity, he certainly could write a letter to him with equal propriety. The question had been often discussed whether it was suitable in every respect for the American minister to transmit his letter of credence to the Emperor instead of delivering it in person, but the result has answered a purpose that one cannot object to, and has probably incidentally furnished a strong argument for those officers who, in a few years, must go further and claim for him an audience at court.

I have read the translation of the letter addressed to the President, and I am confident that you will not find anything in it savouring of the extraordinary assumption on the part of the Emperor which runs through the two replies quoted in the other dispatch. It completes the full authority and authenticalness of this new Mission to the Western world on the part of this ancient empire, the first, I believe, which it ever sent from its shores to other lands on a footing even approaching to equality. Previous embassies have been sent in a patronising, authoritative style, requiring the rulers of other countries humbly to accept the envoys and behests of his Majesty; this goes to confirm and develop an intercourse mutually beneficial to all.[1]

As no written instructions were given their envoy, the following (December 7, 1867) from the Tsung-li Yamên to Mr. Williams — sub-

[1] Williams to Seward, January 25, 1868.

stantially repeated in Prince Kung's communication to the foreign ministers in Peking and to "the secretaries of state of those treaty powers not yet having diplomatic representatives in China" — claims attention as the sole authorisation for action abroad vouchsafed by the Imperial Government to its Embassy.

His Imperial Majesty having seen fit to appoint Anson Burlingame, formerly minister from the United States, with [the Manchu] Chih-Kang and [the Chinese] Sun Chia-ku, two of the members of the Foreign Office, to be his envoys to proceed to all the treaty powers with authority to manage whatever affairs may arise between those countries and this, the imperial decrees conferring this authority on them were recently copied and sent to you.

But I am somewhat apprehensive that the foreign ministers in this capital, learning that his Majesty has commissioned three persons at once thus to represent him, will conclude that neither of them is to take the lead in conducting affairs with those nations, and I have therefore deemed it proper to explain the reasons of this cause in order to remove all doubt upon this point.

It is the usage among all the great Western powers, in the interests of peace and goodwill, to appoint envoys to go to each other's countries to attend to any affairs that may arise; and it would have been proper, during the many years that peace has existed between your honourable country and this, for his Imperial Majesty to have, at a much earlier period, commissioned a high officer to go there for the pur-

pose of representing him and attending to any affairs arising between us. But owing to our imperfect knowledge of the languages and usages of foreign nations, this step has been delayed from time to time. Now, however, as Mr. Burlingame, a man of honour and peace, and intimately conversant with our intercourse and relations with other countries — one, too, with whom the officers of this government have long had acquaintance and confidence — is willing to act on behalf of China in attending to her interests, a memorial was presented to his Majesty requesting that he might be appointed imperial commissioner to all the treaty powers, and that Messrs. Brown and Deschamps might be also appointed to be first and second secretaries of the legation, to aid him in conducting its duties and accomplishing its purposes. But if no high officers are sent on the Mission from China also, there will hereafter be no one sufficiently acquainted with the necessary details to be qualified to receive the post of envoy; and this consideration induced the Foreign Office again to request his Majesty to appoint both Chih and Sun as his imperial commissioners, to go at the same time. This arrangement would manifest the good feeling existing, and be, moreover, the means of giving them practice and experience in their duties. If they could, in this way, add to the efficiency and dignity of Mr. Burlingame and his two secretaries, then the completeness of the Mission for its duties would be all that could be desired. When this government at a future day desires to send her own envoys, she will then have precedents to follow, and it will be easier to prepare them for their duties.

Everything, however, that relates to the duties

of imperial commissioner in the United States will devolve alone on Mr. Burlingame, and his decision will be final; but the correspondence with the Foreign Office at Peking will properly devolve upon the two Chinese commissioners, who will at all times consult with Mr. Burlingame in attending to their duties. In this way the requirements of the entire legation will be provided for without difficulty to any part of it. As one of its members understands the languages and peculiarities of all the countries he will visit, so do the other two as fully comprehend the language and affairs of China. This arrangement is, however, rather a temporary one, applicable at the initiation of the Mission, and is not designed to serve as a constant rule in the future. I have, therefore, to request that you will inform the secretary of state of these particulars, so that when these imperial commissioners reach the United States to transact the business of their Mission, he will be fully aware of their position and relative duties.

Evidences of dissatisfaction over the conception of an Embassy to the Western powers were numerous and immediate on the part of the conservative politicians in Peking. They would have been more numerous had the court been less prompt in its action. As it was, the country was not taken into its confidence in this matter, the reason obviously being that to call for counsel upon such an unprecedented proposition in the presence of the universal rancour of the literary aristocracy against the "bar-

barians" was to invite antagonism. The sincerity of the Prince and his confrères in pushing their project is amply testified by their plain intention of thus forestalling criticism. Such criticism was far more general than foreigners at the time were aware of, and in the absence of a native press only a few specimens came into their hands. One of these will suffice as an expression of a malignant feeling that was widespread.

Wo-jên, the grand secretary of the imperial library and senior tutor to the Emperor, had become the chief spokesman of the anti-foreign national party by reason of two diatribes which he had issued in 1867 against the establishment of the college in Peking for educating Chinese in European languages and science. The attempt had been made to neutralise his opposition by appointing him to the Tsung-li Yamên, and thus render him directly responsible for all those concessions that were inevitable in dealing with this irreducible group of outsiders, but Wo was too crafty and too firmly supported by influential backers to be easily checkmated. He never attended the board — a flagrant act of contumacy — but was subsequently allowed to withdraw on account of ill health. His memorial upon the Mission deserves attention, both

on account of his position and because it sums up the chief objections urged by his partisans against this innovation. Categorically stated, these were five in number, viz.: (1) There could be no "amicable relations" — quoting the offensive expression used in the Yamên's petition — with the barbarians until their invasion of China and the exile of his late Majesty were avenged and "the hatred of the common people fulfilled." (2) Pin's mission was not of a kind to serve as precedent for such an embassy as was now contemplated, while bestowing the rank of imperial envoy[1] upon its chief was "an excessive compliment" to Americans. (3) The appointment of American, British, and French subjects was putting power into the hands of foreigners, but "still more astounding is the notion of Chinese functionaries in a subordinate position; it is tantamount to acknowledging ourselves a subject state and ignoring the dignity of the empire." (4) As to observing the customs of foreigners and learning from them — "their customs are nothing but lasciviousness and cunning, while their inclinations are simply fiendish and malignant." (5) Finally, "as regards the benefit of treaty revision, the Yamên do not see that any such

[1] Precisely the rank and title, by the way, that was objected to by foreign critics of the Mission as insulting the dignity of a self-respecting European in Chinese employ.

benefit is entirely on the side of the barbarians while the disadvantages all accrue to the Chinese. Who will assert that the barbarians are willing to make advantageous concessions to the Chinese?" As a last argument the memorialist expresses some characteristic apprehension upon the important item of travelling expenses, "which are exorbitant and profuse beyond anything known in China. The accounts," he adds significantly, "will be in the hands of the barbarians, and it will be next to impossible to check falsification." [1]

The first Chinese Mission to foreign powers was dispatched by Prince Kung and his coadjutors because they were aware of the appalling hazard of the upper and the nether millstones that threatened to grind the Manchu dynasty to powder. The distress and disasters associated with the reigns of its decadent sovereigns were attributed by their subjects to the incompetent autocrat and his advisers. The history of China has ever shown the course of action to the people when admonitions fail and the mismanagement of their rulers passes endurance. For, as the common man is responsible to his ruler, so is the ruler responsible for the prosperity of

[1] The memorial is reprinted in the *North China Herald*, and discussed at some length in the paper entitled "Chinese Statesmen and State Papers," I, *Fortnightly Review*, March, 1871.

his realm to heaven. Every calamity in the country, whether it be famine or pestilence or a foreign foe, is laid at the door of the Emperor, and the instrument of Heaven's punishment, the means of redress, is rebellion.

This was the nether millstone; the upper was the foreigner — ruthless and pervading, armed with magical arts and valiant in the certainty of his destructive puissance. For while the culture of the barbarians had made little impression upon educated natives, their powers of mischief seemed hardly short of supernatural. Thoughtful men were terrified, yet unconvinced. Foreigners had domineered over the coast towns for ten years since the Arrow War, and their merchants were now urging further aggressions; the crisis demanded prompt action. A few bold fighters, like Tsêng Kwo-fan and Tso Tsung-tang, advised the creation of an army of defence. But this would require years; the statesmen in Peking knew, moreover, that the fighting spirit had departed from the Manchu, and that China was, for the moment at least, too unwarlike to make such a policy feasible. With the same audacity that prompted the Empress-Dowager to enlist the demoniacal mummery of the Boxers to save the situation in 1900, the Tsung-li officials — though better informed and with greater

judgment — turned to their best friend among the foreigners to help China in the emergency, by appealing directly to the courts of Western nations to be patient and give her time.

We have seen the steps by which their chosen ambassador had won his way to their regard and impressed them with his extraordinary personal charm. We are to-day probably far better aware of some of the motives which impelled them than that ambassador was himself. We know now better than any foreigner of that time the risks they took with the vast majority of their own countrymen in appointing him. We know, too, that they were even divided amongst themselves. Had they been less apprehensive of another war, they might not have yielded a measure so largely stimulated by their fears; had Mr. Burlingame, on the other hand, known more fully the supineness of the palace and the aggressiveness of the recalcitrants, he might have refused to attempt the seemingly hopeless task of representing a government divided against itself. But he had faith in China, and no one was ever more completely imbued with the courage of his convictions. He perceived, if only imperfectly, the political distress of the empire; he saw the disastrous outcome, not only to China but to the civilised

world, if the nations of Europe were to fall upon her once more and destroy the reigning dynasty. Convinced that he was right, he volunteered his service to a great state that no one in authority was willing to befriend, because he was, in the words of Prince Kung, "a man of honour and peace."

THE MISSION IN AMERICA

DURING the voyage of thirty days across the Pacific to California, Mr. Burlingame enjoyed abundant opportunity for discussing with his associates the problems of the Mission and of resolving the policy likely to bring them to a successful issue. There is, so far as is known, no minute of his own upon this supreme affair of his life. He pondered deeply; he discussed freely with those who could aid with their experience or suggestions; he did not write. Discussion with him was a means of clearing the mind and of approaching conclusions. He had little patience for inditing letters and none at all for that laborious relegation of thoughts and impressions to note-books or diaries which characterises some men of action.[1] He had been charged to exercise his discretion in representing the case of China before the civilised world, but, as we have seen, he had received no instructions directing or limiting him in the execution of this large order. The

[1] "Writing was labour and weariness to him," says Senator Blaine. "It seemed impossible for him to establish a rapid transit between his brain and the end of a pen." ("Mr. Burlingame as an Orator," *Atlantic Monthly*, November, 1870.)

Chinese commissioned with him were present in the rôle of "learners" rather than as coadjutors; from them nothing was to be expected except the service of communicating with their government. It speaks well for the dignity of that government and for the regard in which the members of his suite held him, that no criticism of his policy seems to have either come from Peking or reached the Tsung-li Yamên through the private correspondence of any one of them. No diplomatic venture of similar importance in modern times has left so meagre a record of authentic documents or been aspersed by its detractors with a slighter basis of proofs upon which to establish their objections. It is the absence of documentary material that makes it difficult to meet these aspersions by the categorical denial which is fairly justified by every reasonable inference from known facts.

Such measure of success and failure as resulted from this experimental embassy was due to the temperament of its chief, who was at once its origin and conclusion. His graciousness and his fine assurance of better things prevailing not only made converts to his ideas wherever he went but conveyed a conviction of sincerity. There are few public careers in recent history which exhibit such powers of win-

ning the minds of others. Some such quality as his is found at rare intervals among great religious leaders, the force of whose appeal rests upon its divine sanction. The Methodist prayer-leader's son had developed in the school of politics a gift of persuasion like that which his father had employed in another sphere, and the same idealism marked them both. It is a faculty that always wins its audience; but fifty years ago men cared for their intuitions rather than for academic learning, and responded to their preachers and orators rather than to logic. In the case of Mr. Burlingame — where there was no pretence, of course, of spiritual dignification — this magnetic quality of converting to his own opinion those before whom he stood face to face rose to something higher than the art of the orator; it was an emanation of genius. It is not surprising that a character of this sort should be often misunderstood or that the enemies of his great idea should take advantage of its apparently illogical processes. Its success in prosecuting a plan depended upon personal contact, and it had the inevitable drawback that when that personal contact was removed further accomplishment lagged or became impossible. By keeping in mind the elements of what we nowadays call the "personal equation,"

it will be easier to comprehend how the ideals of its advocate stirred the minds of those to whom this Mission was presented, and why, when his voice was stilled, the generous impulses of Western nations were smothered by the outcry from many whose selfish interests the realisation of these ideals seemed to threaten.

Mr. Burlingame was not unaware of some hostility to his Mission. He could meet opposition, but he was sensitive to criticisms which endeavoured to discredit his enterprise by imputing unworthy personal motives. In a sketch of his career, printed in "Appleton's Annual Cyclopedia" for 1870, an old acquaintance describes in the following anecdote the state of his mind upon arriving in America in an unprecedented rôle: "Just before he left the shores of Asia he saw a newspaper which bitterly denounced him for renouncing his American allegiance, as it charged, to take a lucrative appointment from a foreign power. In the weeks of his long journey across the Pacific, it often oppressed him with gloomy forebodings. Before he reached the Golden Gate they became at times almost unendurable. 'Is it not possible,' he reasoned to himself, 'that Americans may regard my acceptance of this foreign trust as a selling out of my birthright?' He knew he had been con-

scientious in consenting to take it, in the interest of civilisation, humanity, progress, and international goodwill. But he knew, too, how harshly and unjustly public men are sometimes judged; and when the steamer sailed up to the wharf at San Francisco he was in a state of feverish excitement. The wharf was densely crowded. He looked from the deck of the steamer upon them, and wondered if it were possible that, inflamed by hostile criticism, they had come down there to jeer and insult him. The first man who came upon the deck before the steamer had swung round to its place was a porter, or baggage-man, who, of course, did not know him. Burlingame asked him, as coolly as possible, what all this crowd meant. 'Why,' answered the man, 'the whole city is here to welcome the new Chinese minister, and the city authorities to proffer him its hospitalities.' The suspense was over, and his heart never throbbed a sincerer Thank God!"

From the moment of this impromptu welcome in April the progress of the Mission throughout the United States was a continual ovation until its departure in November. Such manifestations of cordiality as greeted its appearance everywhere were obviously the good-natured exuberance of people who were gratified at a

novel spectacle and pleased with the alluring commercial possibilities suggested. The spectre of a yellow peril had not yet harassed the American imagination nor had fears of undesirable emigrants disturbed its dreams of the future. To a man of his vision Mr. Burlingame's reception by his countrymen seemed to be the vindication of his idea. As a missionary of goodwill to all nations he spoke with ardour of the seemliness of reversing the old policy of belligerent pressure and winning China by patience and conciliation; and all to whom he spoke were persuaded of the justice of his appeal. It was pleasant to turn from the sore stress of reconstruction after a long civil war, and the profitless polemic of a presidential impeachment, to this plea for an unoffending people. Freed from misgivings as well as from animadversion, and conscious of the real nobility of his cause, the advocate of a great though disordered state was aware of no exaggeration when he promised a quickening of its life which, in the nature of things, could only be accomplished in its own way and in the distant future. It happened, unfortunately, that his ready success with his audiences in America was partly due to their entire ignorance of conditions across the Pacific, and the consequent lack of any considerable body of men whose

business experience with the East could divide in the interest of accuracy the orator's figures of speech by the figures upon their trade ledgers. Had the course of the Mission in the United States been attended by an intelligent and determined opposition on the part of an enlightened group who were aware of China's tenacious conservatism, the reaction that followed would have been less severe.[1]

In both the time and place of its arrival in America the Mission achieved a *succès d'estime*. The country was ready, through weariness with its own disorders, to welcome any safe distraction, and here was a novelty that appealed both to the imagination and to the pride of the American people. What was true of the whole population was particularly applicable to that portion whose location on the Pacific entitled them, in their own minds at least, to a certain priority of interest in China. In the newest and

[1] An editorial in the *New York Times* of June 7, 1868, among the first to deplore the introduction of Chinese labourers in America, exhibits well enough the ignorance of Chinese politics among professional publicists in this country. "The new policy," it declares, "which the Chinese empire has inaugurated is unquestionably due to the existence of a greater population within the limits of the empire than it can support. The fact that it has reached this condition was proved by the willingness of the government to encourage immigration to California." Of course we know now that the government at that time would willingly have punished every Chinese who broke the law of the empire by leaving that country, but was helpless to prevent the European agencies who were enticing them away to virtual slavery in Cuba, South America, and elsewhere.

finest hotel on the continent, the citizens of San Francisco, with the governor of the State at their head, gave the Mission an "ovation" that was neither without form nor void of those lively hopes for profitable intercourse which stimulate most international courtesies. The splendour of the demonstration produced its effect upon the Chinese guests, but to their chief, who was toasted as "the son of the youngest and representative of the oldest government," it appealed profoundly, touching his imagination with the magic of a great augury as he rose to reply. "The true gift of every emancipating enthusiasm," says a recent writer,[1] "is not solely the emancipation, but the enthusiasm; is not liberty in its formal estate, to be selfishly enjoyed, but that liberty of spirit which sees its own issues and leaps to espouse its own causes under all the forms, wherever found, of negation and repression." He saw a glorious future for China, when she should achieve, perhaps centuries hence, that emancipation from obstinate bigotry which alone shackled the freedom of her spirit. He declared his belief in her honest intention to enter the brotherhood of nations, and pleaded for patience from those who were in danger of misjudging her, as well as for a generous con-

[1] H. Dyer, "Japan in World Politics," 1909, p. 88.

struction of the energetic language he was fain to use. He announced his own belief that the dispatch of the Mission was due to the impression made upon Chinese statesmen of the co-operative policy and their new-found understanding of the advantages of the principles of international law. The Mission, he declared,

> means commerce; it means peace; it means a unification of her own interests with the whole human race. I agree with you, sir, here to-night that this is one of the mightiest movements of modern times; and although this ephemeral Mission may soon pass away, that great movement must go on. The great deed is done. The fraternal feeling of four hundred millions of people has commenced to flow through the land of Washington to the elder nations of the West, and it will flow on forever. Who is there who would check it? Who is there that would say to China: We wish to have no other relations with you than such as we established in our own partial and cruel interests at the cannon's mouth. I trust there are none such as these. I believe, rather, that this generous greeting is a better exponent of the wishes of the West. I believe it represents more truly that large and generous spirit which is not too proud to learn and which is not afraid to teach; that great spirit which, while it would exchange goods with China, would also exchange thoughts with China; that would inquire carefully into the cause of that sobriety and industry of which you have made mention; that would learn something of the long experience of this people; that would question those institutions which have withstood the storms of

time — as to the secret of their stability; that would ask what means that competitive system under which the lowest coolie's son may rise to the highest office in the empire, and which makes scholarship the test of merit; that does not believe that genius is dead in the land of Confucius; that does not believe that the mind may no more be kindled that invented gunpowder, the compass, porcelain, paper, and printing; that does not believe that the Christian's hope shall cease to bloom where the Christian martyrs fell.

"If there ever was a country," wrote Emerson, "where eloquence was a power it is in the United States. Here is room for every degree of it on every one of its ascending scales." Yet where oratory is accepted as a power its language requires and usually receives the deduction due to any well-developed form of artistic expression; like other arts, the forensic has its conventions and demands their interpretation while conveying its message. The orator, especially on festal occasions, speaks primarily to his audience and prepares his speech in terms designed to convince those who sit before him. Mr. Burlingame's response, inspired by the hope of a coming sodality between nations hitherto hardly conscious of each other's existence, was addressed to a company who, having no traditions of a communal past, lived with their faces turned toward the future. It happened a few years

later that poignant fears of being supplanted in their mines and industries by Chinese labourers brought them into antagonism with the very plans and prospects which they here acclaimed, and in the sudden reversal of opinion Mr. Burlingame's reputation shared the odium of his cause. But it is difficult to understand how any caution of language on his part could have saved him from a fate common to the emissaries of all novel enterprises. Reactions are inevitable before society can adjust itself to new principles; he had to suffer under a universal law, not only at the hands of his countrymen, but abroad. When this address to Californians reached the ears of foreigners unaware of the envoy's impressionable audience, they called his language fantastic, and derided his promise of a reconstituted China because they saw no prospect of its immediate fulfilment. So his audience understood and then forgot, while the Europeans never understood at all.

His effort [1] was confronted, indeed, with a dilemma which no genius could have foreseen or avoided. Had it not been cordially greeted by Americans the Mission would have been pronounced a failure and the Chinese who pro-

[1] Henri Cordier calls it "le plus brillant, mais aussi le plus déclamatoire et le plus creux des discours qu'il improvisa au cours de ses pérégrinations." ("Histoire des relations de la Chine," I, 1901, p. 289.)

moted it humiliated; as it was, the unusual acclaim in California and the intrepid optimism of its chief awakened ill-will in Europe, besides irritating those foreigners in the East who discouraged hopefulness about China's political re-establishment and much preferred the maintenance of foreign prestige supported by war-ships.[1] As a plenipotentiary aware of the sympathy of the American Government with the objects of his Mission, it was his duty to make plain these objects to his own countrymen and to cultivate a sentiment of friendliness in behalf of the nation whose cause he was promoting. It cannot properly be said that he misjudged in endeavouring to secure for the representatives of China a cordial reception in the land of his birth. He was aware of the jealousy of Europeans over his appointment, but their objection to seeing an American mediator between China and the West was best met by making it evident

[1] The attitude of foreign merchants in China is fairly shown in the declaration of the *China Mail*, "that progress is unattainable save under continuous pressure, and that the exercise of such pressure with judicial and equitable firmness is the indispensable condition upon which not alone progress but the maintenance of existing rights depends for all foreigners in China." (Hongkong, July 30, 1869.) Of these same merchants Sir R. Alcock wrote that "they have too plainly shown that they have no regard or consideration for either the rights or the interests of others; and the Chinese have a perfectly clear conception that the country has both sovereign and national interests which it is their business to uphold, whatever foreigners may think or say to the contrary." (Alcock to Lord Stanley, April 16, 1868.)

that his selection by the Chinese Government was chiefly due to his personal qualities. This was perfectly true. There is to this day little variation in the degree of Chinese dislike of all foreign nations; there was none then. It was not a matter that could be formulated without an unpleasant implication of egotism, yet if the actual truth might transpire from observation of his conduct it relieved America from a suspicion of attempting to champion the cause of China against the world, and China from the charge of avoiding in this way her own responsibilities.[1]

While this was the case the dilemma, nevertheless, remained. However creditable and sincere his efforts to insure the success of his Mission, it was impossible to escape the inevitable outburst of disappointed hopes cherished by those who anticipated in this Mission a new instrument for exploiting China at the expense of the Chinese. The explosion came when his published utterances in America disclosed his

[1] The Shanghai correspondent of the *London Times* (February 12, 1868) writes: "Cosmopolitan community as we are, we were not sufficiently so at heart to look complacently on the nomination of an American mediator between China and the West. This feeling, however, not an unnatural one, perhaps, at the first blush, has greatly subsided on reflection. I fail myself to see any fair ground for jealousy." He concludes his letter with the assertion that "it is the individual rather than the national who has been selected — Mr. Burlingame rather than the United States minister."

loyalty to his principles and to the nation whose cause he advocated. As a man of honour he admitted no double rôle; as a lawyer he recognised his first obligation to be his client's interest — with but one explicit reservation that provided for unswerving allegiance to his own country. And the complaint of Europeans in China that the success of the Mission had "spoiled the game" was justified in one important sense: it gave fresh courage to the Chinese who identified their patriotism with a strong personal dislike of foreigners. These had long nursed their antipathy upon acts of interference with the internal administration of their country which they were powerless to prevent. They fondly imagined that the champion who was proclaiming in the West that China had a few officials in responsible positions who were capable of forming rational views and advising a reasonably progressive policy would raise up friends to defend their reactionary antagonism. In their ignorance they brought fresh pressure to bear upon their ministers who were engaged with Sir Rutherford Alcock in revising the British treaty, and ultimately prevented them from granting the more substantial privileges which — among foreigners at least — they were expected to yield through this negotiation. From the stand-point

of Chinese chauvinism the Mission was a decided if unlooked-for success; but no man could serve the God and the mammon of these two opposing races.

Upon reaching Washington the Embassy was installed in Brown's Hotel on Pennsylvania Avenue, where the great yellow flag bearing the imperial dragon floating over the roof attracted more attention than had ever before been given to the coming of new envoys to the capital. It was remarked, rather naïvely, at the time that the Chinese representatives were men of breeding and intellect — a suggestive commentary upon American acquaintance with the history and culture of this ancient empire.[1] Mr. Burlingame immediately after his arrival called at Mr. Seward's house for the personal interview he had requested in his letter from Shanghai. He was relieved, on consulting his old associate of congressional days, of any remaining compunctions as to his status as an American citizen by finding that the secretary's opinion upon this point agreed with his own. As legislation had not then determined points of foreign service

[1] "Whether in the public assembly or the fashionable soirée or in the domestic circle, they were everywhere at ease. Their gracefulness of manner, their unpretending and cordial politeness, their ready wit and pleasantry were subjects of general remark." (W. L. Nevius, "China and the Chinese," 1869, p. 440.)

and expatriation the question was a more serious one than it would be now. A matter of more vital consequence was the envoy's presentation at the White House. The Emperor of China had refused to grant audience to the American minister at Peking on terms of equality, and did not demand it in this instance from the President. But in this most democratic of the capitals of Christendom, where the privilege was accorded to visitors of all ranks, to exclude the Chinese legation was to weaken its prestige in the popular esteem. Both the envoy and the secretary of state were glad to escape the difficulty by agreeing upon the following draft of a reply from the department to a request for a reception by the President:

> It is well understood by this government that, owing to the minority of the Emperor of China, the sovereign authority of the empire is now exercised by a regency. Reserving, therefore, and waiving, though only during the Emperor's minority, the question concerning the privileges of personal audience by the head of the Chinese Government, the President of the United States will cheerfully receive their excellencies the high ministers of China, on Friday, at twelve o'clock at noon, at the executive mansion.

They were received on the appointed day, June 6, with the customary ceremonies and

with sincere cordiality by President Johnson in the White House, when Mr. Burlingame expressed his appreciation of the manner in which his change of representative character had "been allowed by the American people." He announced the intention of the Chinese Government to enter into communication in conformity with established diplomatic usages with the United States of America and ten states of Europe — Austro-Hungary and Portugal being the only ones of consequence omitted. "We are charged," he concluded, in delivering the Emperor's letter,

> at the expense of what might bear the appearance of egotism, to say that there are nine official ranks in China. By way of showing the greatest possible respect to the Western powers, the letters to which I refer were committed to the care of myself, of the first rank, and to Chih Ta-jen and Sun Ta-jen, of the second rank, myself being invested with extraordinary and plenipotentiary functions, and all of us being accredited to you as high ministers and envoys.

The President's reply was rather more elaborate and discursive than usual upon such occasions. He alluded warily to the way in which the United States had been treated by other nations in the past, and to the improvement in their foreign relations within a few years, extending friendly intercourse to Greece, the Ottoman Porte, and Japan. The touch of patronage

— inevitable, apparently, when Western nations address Orientals — is as delicate as could be expected: "China, having accepted the laws of nations as they are explained in our own approved compilation, now avails herself, through your Mission, of our friendly introduction to the Christian states of Europe and America. These events reveal the pleasing fact of a rapid growth of mutual trust and confidence among the nations resulting from a general suspension of the policy of war and conquest and a substitution of a fraternal and benevolent policy in its place. Your excellencies, we have not failed to appreciate the sagacity with which the Chinese Empire has responded to this change of policy by the Christian nations." [1] The irony of history has seldom received more emphatic illustration than by these diplomatic platitudes as read in the light of the warlike events which cloud the last four decades of the nineteenth century.

A state dinner was given to the envoys by the President in the White House, and the represent-

[1] Mr. Frederick W. Seward, in his biography of his father, says that while presidents, like other heads of states, have their formal speeches prepared for them, Johnson was a most painstaking and scrupulous student of expression, and never liked to accept or sign documents without making changes of his own. Usually when a foreign minister had been presented and read his formal speech, the President would wave his hand toward Seward, saying, "The secretary of state will read the speech in reply." We must infer that this exordium of some nine hundred words addressed to the Chinese envoys was his own composition.

atives in Congress subsequently received them on the floor of the House with an address by the speaker, Schuyler Colfax, a noteworthy welcome in the name of the people of the United States. His compliment to Mr. Burlingame was most appropriately worded for the place in which he spoke: "Nor does it lessen our pleasure that the chief of this Embassy, transferred, as he was, from membership here to diplomatic duties abroad, so won the confidence of his Imperial Majesty, to whom he was accredited, that he returns to our midst, honoured, with his distinguished associates, as custodians of the most remarkable trust ever committed by an emperor to his envoys." Replying in behalf of his coadjutors from the floor on which he had often in times past addressed his fellow-members, Mr. Burlingame assured his countrymen that

> We seek for China that equality without which nations and men are degraded. We seek not only the good of China, but we seek your good and the good of all mankind. We do this in no sentimental sense. We would be practical as the toiling millions whom we represent. We invite you to a broader trade. We invite you to a more intimate examination of the structure of Chinese civilisation. We invite you to a better appreciation of the manners of that people, their temperance, their patience, their habits of scholarship, their competitive examinations, their high culture of tea and silk; and we shall ask

for them, from you, modern science, which has taken its great development within the memory of man, and the holy doctrines of our Christian faith. It is for the West to say whether or not it was sincere when it continued for a long time to invite China to more intimate relations with it. It is for the West to say whether it is for a fair and open policy, or for one founded on prejudice and on that assumption of superiority which is justified neither by physical ability nor by moral elevation.[1]

It is not surprising that under the quite extraordinary circumstances of this reception their inspiration should have influenced his reply. They prompted his magnanimous nature to respond heartily to the kindly things that were said to him, and to promise rather liberally, in

[1] The following extract from a letter written by a Western congressman to a friend in San Francisco has an interest all its own both for its subject and style: "A few days ago Burlingame and the Chinese were presented. It was a singular sight to see that ancient Asiatic countenance, lighted by the conceit and shaded by the tyrannies of 4,000 years, led by the smooth-faced Anglo-Saxon, beneath the shadow of the Eagle and Stars, to receive the welcome of men whose creed it is to hate idolatry and despotism, and whose only ineradicable custom it is to despise caste and ceremony and stability (*sic*). What a grand spectacle to witness the four hundred millions of Chinamen, as it were, stopping in the long tide of centuries, resting on their oars and catching across the ocean the sounds of republican America, the hum of their machinery, the scream of their whistles, the roar of their trains, and all the multitudinous voices of progress so familiar to us. They have heard of our greatness and our invincible power, and now lean forward to catch on the breezes of their East the faint sounds of a civilisation they feel to be the master of their own. You at San Francisco will be the first to be benefited by this great awakening. And your city, if the present is an augury of the future, will be a rival of New York and London as a commercial emporium." (Quoted in the *San Francisco Daily Evening Bulletin*, July 31, 1868.)

return, future benefits that were not his to bestow. So it happened that in the fulness of his heart he gave expression to hopes which were in themselves not unjustifiable, but which a less emotional speaker might have thought best to leave unspoken, only because they were remote. Here as elsewhere in America he trusted his countrymen to make the proper subtraction. Before more impassive auditors in Europe, where his cause had to be won against those who would have been glad to antagonise his Mission, he laid himself open to no just criticism of this sort, but prosecuted his task by the exercise of the highest powers of argument and diplomatic persuasion. Yet, while it is true that he had no immediate warrant from China to ask in her behalf for modern science and "the holy doctrines of our Christian faith" — whatever the prospect for change of attitude in the coming years — this might properly have been dismissed as the amiable desire of a Western spokesman whose assurance included future generations. The important point of his response lay in his plea for an honest application to China of those Christian principles which have so often been traduced by that "assumption of superiority which is justified neither by physical ability nor moral elevation."

The same appeal inspired a more famous speech made at a banquet given to the Mission on June 23d by the leading citizens of New York, with the governor in the chair. To this company of merchants and men of affairs, whose chief interest in the Embassy was confessedly the material hope of a lucrative commerce with a populous empire soon to be brought to their doors by the new Pacific railroad, the orator renewed the plea to grant China fair play and leave her time to develop in peace.

You have given a broad and generous welcome to a movement made in the interests of all mankind. We are but the humble heralds of the movement. It originated beyond the boundaries of our own thoughts and has taken dimensions beyond the reach of our most ardent hopes. That East, which men have sought since the days of Alexander, now itself seeks the West. China, emerging from the mists of time, but yesterday suddenly entered your Western gates, and confronts you by its representatives here to-night. What have you to say to her? She comes with no menace on her lips. She comes with the great doctrine of Confucius, uttered two thousand three hundred years ago, "Do not unto others what you would not have others do unto you." Will you not respond with the more positive doctrine of Christianity, "We will do unto others what we would have others do unto us"? She comes with your own international law; she tells you that she is willing to come into relations according to it, that she is willing to abide by its provisions, that she is willing to take its ob-

ligations for its privileges. She asks you to forget your ancient prejudices, to abandon your assumptions of superiority, and to submit your questions with her, as she proposes to submit her questions with you — to the arbitrament of reason. She wishes no war; she asks of you not to interfere in her internal affairs. She asks you not to send her lecturers who are incompetent men. She asks you that you will respect the neutrality of her waters and the integrity of her territory. She asks, in a word, to be left perfectly free to unfold herself precisely in that form of civilisation of which she is most capable. She asks you to give to those treaties which were made under the pressure of war a generous and Christian construction. Because you have done this, because the Western nations have reversed their old doctrine of force, she responds, and, in proportion as you have expressed your goodwill, she has come forth to meet you; and I aver, that there is no spot on earth where there has been greater progress made within the past few years than in the Empire of China. She has expanded her trade, she has reformed her revenue system, she is changing her military and naval organisations, she has built or established a great school where modern science and the foreign languages are to be taught. She has done this under every adverse circumstance. She has done this after a great war lasting through thirteen years, a war out of which she comes with no national debt. You must remember how dense is her population. You must remember how difficult it is to introduce radical changes in such a country as that. The introduction of your own steamers threw out of employment a hundred thousand junkmen. The introduction of several hundred foreign-

ers into the civil service embittered, of course, the ancient native employees. The establishment of a school was formidably resisted by a party led by one of the greatest men of the empire. Yet, in defiance of all these, the present enlightened Government of China has advanced steadily along the path of progress, sustained, it is true, by the enlightened representatives of the Western powers now at Peking, guided and directed largely by a modest and able man, Mr. Hart, the inspector-general of customs, at the head of the foreign employees in the Empire of China. . . . Yet, notwithstanding this manifest progress, there are people who will tell you that China has made no progress, that her views are retrograde; and they tell you that it is the duty of the Western treaty powers to combine for the purpose of coercing China into reforms which they may desire and which she may not desire — who undertake to say that this people have no rights which you are bound to respect. In their coarse language they say, "Take her by the throat." Using the tyrant's plea, they say they know better what China wants than China herself does. Not only do they desire to introduce now the reforms born of their own interests and their own caprices, but they tell you that the present dynasty must fall, and that the whole structure of Chinese civilisation must be overthrown. I know that these views are abhorred by the governments and the countries from which these people come; but they are far away from their countries, they are active, they are brave, they are unscrupulous, and, if they happen to be officials, it is in their power to complicate affairs and to involve, ultimately, their distant countries in war. Now it is against the malign spirit of this tyrannical ele-

ment that this Mission was sent forth to the Christian world. It was sent forth that China might have her difficulties stated. That I happened to be at the head of it was, perhaps, more an accident than any design. It was, perhaps, because I had been longer there than any of my colleagues, and because I was about to leave; and, perhaps, more than all, because I was associated with the establishment of the co-operative policy which by the aid of abler men than myself was established not many years ago; and it is to sustain that policy — which has received the warm approval of all the great treaty powers, and which is cherished by China — that we are sent forth. It is in behalf of that generous policy, founded on principles of eternal justice, that I would rally the strongest thing on earth, the enlightened public opinion of the world. Missions and men may pass away, but the principles of eternal justice will stand. I desire that the autonomy of China may be preserved. I desire that her independence may be secured. I desire that she may have equality, that she may dispense equal privileges to all nations. If the opposite school is to prevail, if you are to use coercion against that great people, then who are to exercise the coercion, whose force are you to use, whose views are you to establish? You see the very attempt to carry out any such tyrannical policy would involve not only China, but would involve you in bloody wars with each other. There are men — men of that tyrannical school — who say that China is not fit to sit at the council board of the nations, who call her people barbarians, and attack them on all occasions with a bitter and unrelenting spirit. These things I utterly deny. I say, on the contrary, that that is a

great, a noble people. It has all the elements of a splendid nationality. It is the most numerous people on the face of the globe; it is the most homogeneous people in the world; it has a language spoken by more human beings than any other in the world, and it is written in the rock. It is a country where there is greater unification of thought than any other country in the world. It is a country where the maxims of great sages, coming down memorised for centuries, have permeated the whole people, until their knowledge is rather an instinct than an acquirement; a people loyal while living, and whose last prayer, when dying, is to sleep in the sacred soil of their fathers. . . .

China, seeing another civilisation approaching on every side, has her eyes wide open. She sees Russia on the north, Europe on the west, America on the east. She sees a cloud of sail on her coast, she sees the mighty steamers coming from everywhere — bow on. She feels the spark from the electric telegraph falling hot upon her everywhere; she rouses herself, not in anger, but for argument. She finds that by not being in a position to compete with other nations for so long a time she has lost ground. She finds that she must come into relations with this civilisation that is pressing up around her, and feeling that, she does not wait but comes out to you and extends to you her hand. She tells you she is ready to take upon her ancient civilisation the graft of your civilisation. She tells you she is ready to take back her own inventions, with all their developments. She tells you that she is willing to trade with you, to buy of you, to sell to you, to help you strike off the shackles from trade. She invites your merchants, she invites your missionaries. She tells the

latter to plant the shining cross on every hill and in every valley. For she is hospitable to fair argument. . . .

Let her alone; let her have her independence; let her develop herself in her own time and in her own way. She has no hostility to you. Let her do this, and she will initiate a movement which will be felt in every workshop of the civilised world. She says now: "Send us your wheat, your lumber, your coal, your silver, your goods from everywhere — we will take as many of them as we can. We will give you back our tea, our silk, free labour, which we have sent so largely out into the world." It has overflowed upon Siam, upon the British provinces, upon Singapore, upon Manila, upon Peru, Cuba, Australia, and California. All she asks is that you will be as kind to her nationals as she is to your nationals. She wishes simply that you will do justice. She is willing not only to exchange goods with you, but she is willing to exchange thoughts. She is willing to give you what she thinks is her intellectual civilisation in exchange for your material civilisation. Let her alone, and the caravans on the roads of the north, toward Russia, will swarm in larger numbers than ever before. Let her alone, and that silver which has been flowing for hundreds of years into China, losing itself like the lost rivers of the West, but which yet exists, will come out into the affairs of men. . . . The imagination kindles at the future which may be, and which will be, if you will be fair and just to China.

This was the speech which, more than any other of his public utterances, aroused the indignation of Europeans in the East against Mr.

Burlingame. It was considered by its hearers to be a well-sustained burst of oratory finely fitted to the occasion; to those who were not present, and who were unsolicitous as to China's independence, it appeared as fanciful as do most announcements that exceed the compass of the commonplace. It is easy to depreciate such "bursts" on the morrow of such occasions when the lights of the banquets for which they are fashioned have been extinguished. But this was not an ordinary toast upon an ordinary festal occasion. It was an appeal before the bar of public opinion of an advocate inspired by some prenotion of a distant future that transcended the surmises of matter-of-course young men. Presentations of causes, especially radical causes which are to encounter opposition, are never made effectively in cool terms—it might almost be said are never expected to be so made—by men who feel strongly. If, transported by his emotion, the orator had to pay at the time the penalty which is ever incurred by seeming overstatement, and forfeited the advantage which his cause might have gained from a more temperate and closely reasoned address, his speech did no more than forecast a prospect which, with the passing of another cycle of Cathay, is now plainly revealed to all the world. What one generation called

unreflecting declamation must be recognised by another as shrewdly determined reasoning. In America it was soon forgotten in the engrossment of a presidential campaign. When it was reported abroad his former friends[1] deplored its exaggeration and depreciated the results to be expected in China from a departure from the old policy of a "firm hand." His opponents gave vent to vituperation.[2]

It is hard at this date to read with patience the wasted indignation aroused by this deliverance among the mercantile bodies located at the Chinese ports, but it is not difficult to understand the cause of their irritation. They were in the position of men who had long appropriated unfair but uncertain privileges at the expense of weaker parties, for whom at last a

[1] "He placed the China question before his auditors in what we conceive to be an utterly distorted light, and as we think wholly misrepresented the attitude of the Chinese Government toward foreigners, and its desire for progress." (J. Barr Robertson, *Westminster Review*, vol. 93, p. 181, 1870.)

[2] The following can hardly be called a serious document, but it was taken quite seriously by those for whom it was written: "We may, we think, state without hesitation, that no representative of a 'great nation' has ever delivered a public speech so abounding in wilful misrepresentations and empty declamation; so cunningly devised to mislead distant public opinion and the action of far-away statesmen; so deceptive in spirit no less than in tone, as is this speech of the Hon. Mr. Burlingame. What adds to its guilt is, that the speaker was the hired servant of a foreign, corrupt, semi-barbarous, and usurping government; that, solely in the dynastic interests of that government, he used his oratorical efforts both against the national interests of the people which he pretended to serve, and that, with nothing but falsehood on his lips and

public champion had appeared. Like politicians of a certain type in control of "easy graft," or like manufacturers enjoying the undue profits of a high protective tariff, they saw in any plan for adjusting affairs only a threat against their liberties and the life of trade. It is not necessary or befitting to represent these foreign communities in China as sorely corrupt. The majority of them were composed of men of integrity. Yet the basis upon which they operated was disadvantageous in the extreme to China, and one which no self-respecting state could calmly endure. In this sense all the commercial bodies there must come under the same condemnation. If Mr. Burlingame was forgetful of his own experience in China in declaring her statesmen ready to welcome the foreigner and his innovating improvements, he erred mainly through an excess of charity. The most that can be fairly brought against him seems to be that a

guile on his brow, he imputes to honest men who mean well by China a tyrannic policy and destructive views of his own invention, in order that he may hold them up to the abhorrence of the West and the governments of the West." (J. von Gumpach, "The Burlingame Mission," p. 287.) The editor of the *North China Herald*, who had welcomed the dispatch of the Mission as an indication that the Chinese were about to abandon their long-standing policy of isolation, comments as follows: "The conduct of Mr. Burlingame, the head of this Mission, has destroyed our pleasing anticipations. His absurd description of China in a public speech at New York has covered him with ridicule from all who know how widely different is the original from the picture." ("Retrospect of Political and Commercial Affairs," Shanghai, 1873, p. 8.)

righteous indignation in behalf of a greatly wronged people tempted him to overstatement in a cause where the simple truth was sufficient to carry conviction to open minds. An English writer arrived at a truer estimate than most of the critics of the moment when, writing a year later, he concluded that, however erroneous in its superlatives, this speech

was only calculated to mislead those who were totally ignorant of China and its people. He would undoubtedly have better served his cause—the cause of China—if he had stated the plain truth and put no gloss whatever on the facts of the case. If he had boldly proclaimed in every court in Europe that there were statesmen in power in China who believed progress in many directions, if not desirable at least inevitable, and were therefore willing to take such steps as they thought consistent with safety in that direction; but that they were a very small minority, and were engaged in a constant struggle with a large and powerful party in the state, comprising nearly the whole of the official class, with an unknown proportion of the population thoroughly anti-foreign in all their feelings and prejudices, wedded to the philosophy and traditions of their ancestors, and forming a compact body of resistance to all progress or innovation, he would have given a true account of China as it is, and have better served her cause in the end than by any highly coloured pictures of an imaginary Chinese Empire. He might have truly and wisely added that to force upon the few more enlightened members of the government measures they are

not able to carry through would be merely to insure their removal from power, and precipitate either a war or a revolution—but in all probability both. . . . To perpetually humiliate the Tsung-li Yamên with imperious demands for sweeping changes which they have constantly declared their inability to initiate, and by perpetual interference with their customs and internal administration, is simply to play into the hands of the reactionary party.[1]

A month after his return to Washington after the banquet in New York, Mr. Burlingame signed the treaty between China and the United States which has ever since been associated with his name. This compact, in the form of eight additional articles to the Tientsin treaty of June 18, 1858, had been the subject of conversations during the preceding month, and was drafted by Mr. Seward in accordance with his own ideas of what was right and proper under the circumstances. No notes or documents relating to the negotiation exist in the state department, nor is it likely that it was conducted in any other way than by personal collocutions in the secretary's office, where the draft was first presented to Mr. Burlingame. The occasion for this informal proceeding is explained in a letter of June 14, 1911, to the writer from the Hon. Frederick W. Seward:

[1] "China's Relation to Foreign Powers," *Edinburgh Review*, January, 1871, p. 197.

It is difficult for any one, nowadays, to fully realise the intense political excitement and bitterness that prevailed in Washington in 1867 and 1868. It seemed as if Congress and the nation had gone daft over the question of impeaching President Johnson. Every other subject was subordinated and misconstrued by some supposed connection therewith. The treaty with China, like the treaty for Russian America, was a measure of prime diplomatic importance. But neither treaty could have been concluded by the ordinary methods of diplomacy. Correspondence and discussion would instantly have aroused antagonisms that would be fatal. The negotiations in each case had to be conducted by means of personal interviews and confidential conversations between the secretary of state and the foreign minister. It is for that reason that you find so little in the official records — published and unpublished. Even our private correspondence had to be jealously guarded. Fortunately, in both cases, the governments were in full accord, and their respective representatives had entire confidence in each other.

Aware of the determination of the British Government to revise their treaty with China at this time, the American secretary of state experienced some natural gratification at the favourable opportunity of the visit of a Chinese embassy to the United States, under the leadership of an American, to propose an amendment of the American convention of 1858. Quite content to leave the vexed questions of tariff

and transit dues to the British negotiators, it seemed necessary to stipulate for only a few changes — to modify the former compact in conformity with the Burlingame policy of a more liberal treatment of China and to secure a plentiful supply of labour for the Western States. His proposal, though unexpected, was cordially accepted in principle by Mr. Burlingame in the interest of the country he represented. That the suggestion first came from the secretary and not from Mr. Burlingame may be inferred from a dispatch to Mr. Browne, the new American minister to China (September 8, 1868), in which Mr. Seward refers him to Mr. Williams's motion of the previous May that negotiations for a revision of the American treaty with China be commenced during the coming year "to obtain the same advantages for our countrymen which others enjoy." He then adds — a little complacently, in view of the prolonged wrangle over amendments to the British treaty under discussion between Sir R. Alcock and the Tsung-li officials: "The additional articles to the treaty of June 18, 1858, which were concluded here on the 28th of June last, which have been duly ratified by the President of the United States, and which have already been sent to Peking for the purpose of

being ratified there by the Chinese Government, embrace all the subjects which this government has deemed to be essential, at the present time, to adjust by an immediate revision of the treaty of 1858." Mr. Seward's son reflects his father's opinion when he says of his treaty that China "now gave her adhesion to the principles of Western law and to more advanced doctrines in regard to human rights than most Western nations had yet been able to adopt." [1]

The text of the eight additional articles is given in an appendix; for convenience they may be briefly summarised here: I, recognises China's right to unmolested dominion over her own territories and her jurisdiction over persons and property in the concessions, except as relinquished by treaty; II, concedes her control over inland trade and navigation; III, grants her the right to appoint consuls to American ports; IV, insures freedom from persecution for foreign religions in either country and protection for cemeteries; V, allows unrestricted voluntary migration between China and the United States, and forbids the coolie trade; VI, admits reciprocal rights of travel and residence, but forbids naturalisation by either party of citizens of the other; VII, opens schools in each country to

[1] "Seward at Washington," III, p. 381.

children of the other; and VIII, acknowledges the right of the Emperor to make internal improvements unobstructed by foreign dictation or intervention, as well as his right to introduce such improvements when and as he pleases.

Before discussing the treaty it will be well to follow Mr. Burlingame's exposition of its principal articles delivered in a speech at a dinner given to him on August 21 by the city council in Boston:

> In the first place, it declares the neutrality of the Chinese waters in opposition to the pretensions of the exterritoriality doctrine, that inasmuch as the persons and the property of the people of the foreign powers were under the jurisdiction of those powers, therefore it was the right of parties contending with each other to attack each other in the Chinese waters, thus making those waters the place of their conflict. The treaty traverses all such absurd pretensions. It strikes down the so-called concession doctrines, under which the nationals of different countries located upon spots of land in the treaty ports had come to believe that they could take jurisdiction there not only of their own nationals, not only of the person and property of their own people, but take jurisdiction of the Chinese and the people of other countries. When this question was called under discussion and referred to the home governments, not by the Chinese originally, but by those foreign nations who felt that their treaty rights were being abridged by these concession doctrines, the distant foreign countries could not stand the discus-

sion for a moment. And I aver that every treaty power has abandoned the concession doctrines, though some of their officials at the present time in China undertake to contend for them, undertake to expel the Chinese, to attack the Chinese, to protect the Chinese, although the territory did not belong to them. China has never abandoned her eminent domain, never abandoned on that territory her jurisdiction, and I trust she never will. This treaty strikes down all the pretensions about concessions of territory.

Again, this treaty recognises China as an equal among the nations, in opposition to the old doctrine that because she was not a Christian nation she could not be placed in the roll of nations. But I will not discuss that question. The greatest living authority upon Eastern questions is here to-night — Mr. Cushing. He has stated that position more fully than anybody else, while his heart has leaned ever up to the side of the Chinese. I say China has been put upon terms of equality. Her subjects have been put upon a footing with those of the most favoured nations, so that now the Chinese stands with the Briton or the Frenchman, the Russian, the Prussian, and everybody else. And not only so, but by a consulary clause in that treaty they are given a diplomatic status by which those privileges can be defended. That treaty also strikes down all disabilities on account of religious faith. It recalls the great doctrine of the Constitution which gives to a man the right to hold any faith which his conscience may dictate to him. Under that treaty the Chinese may spread their marble altars to the blue vault of heaven and may worship the spirit which dwells beyond. That treaty opens the gleaming gates of

our public institutions to the students of China. That treaty strikes down, or reprobates — that is the word — the infamous coolie trade. It sustains the law of 1862, drafted by Mr. Elliot, of Massachusetts, and pledges the nations forever to hold that trade criminal. While it does this it recognises the great doctrine that a man may change his home and change his allegiance. It invites free immigration into the country of those sober and industrious people, by whose quiet labour we have been enabled to push the Pacific railroad over the summits of the Sierra Nevada. Woollen mills have been enabled to run on account of this labour with profit, and the crops of California, more valuable than all her gold, have been gathered by them. I am glad that the United States had the courage to apply her great principles of equality. I am glad that while she applies her doctrines to the swarming millions of Europe, she is not afraid to apply them to the tawny race of Tamerlane and of Genghis Khan.

There is another article which is also important to China. It has been the habit of foreigners in China to lecture the Chinese and to say what they should do and what they should not do; in fact, to prefer almost a demand and say when they should build railroads, when they should build telegraphs; and, in fact, there has been an attempt to take entire possession of their affairs. This treaty denounces all such pretensions. It says particularly that it is for the Chinese themselves to determine when they will institute reforms, that they are the masters of their own affairs, that it is for them to make commercial regulations and do whatever they will, which is not in violation of the law of nations, within their own territory. I am glad that that is in the

treaty; and while the treaty expresses the opinion of the United States in favour of giving to China the control of her own affairs, it assumes that China is to progress, and it offers to her all the resources of Western science, and asks other nations to do the same. The United States have asked nothing for themselves. I am proud of it. I am proud that this country has made a treaty which is, every line of it, in the present interests of China, though in the resulting interests of all mankind. I am glad that the country has risen up to a level with the great occasion. I am glad that she has not asked any mean advantages, such as weaken one people and do not exalt another. By leaving China free in all these respects, she feels secure, or will feel secure when these principles are adopted; when she feels that the railroad and the telegraph are not to be the instruments by which she is to be disrupted or destroyed. She will come out of her seclusion and enter upon a course of trade, the importance of which and the amount of which no man can compute. The first thing for her to have is security; and this treaty gives her security. It places her broadly under international law.

I know this treaty will be attacked; you will wonder at it. It will be attacked by the spirit of the old indigo planters in India; resisted by the spirit of the old opium smuggler in China. But, notwithstanding all this, I believe that treaty, or the principles of that treaty, will make the tour of the world because it is founded in right, is founded in justice. Believing that, the members of this Mission, feeling confidence in the rectitude of their intentions, confidence in the merits of the policy which they have pursued, do not ask what recep-

tion they shall have in the countries to which they go, but trust themselves fairly and fully to the spirit of Western civilisation.

From the stand-point of diplomatic convention as observed in Europe there is no denying that Mr. Burlingame's participation in concluding this contract was irregular. He had been granted no specific instructions to negotiate treaties abroad, and had he declared his intention of doing so before leaving Peking, it is extremely unlikely that the Tsung-li Yamên would have appointed him. Nevertheless, though he took that office by surprise, he could contend that as they had given him no definite orders such action was naturally included among those matters which were left to his own judgment. To this contention he could add the assertion that the document must necessarily be submitted to their ratification to accede to or refuse as they chose, and that it was plainly drawn up in their interests, so that the relations of China with a Western power were for the first time placed upon an enduring basis of goodwill and mutual accord. And to this extent he was justified in the event. After a struggle with the reactionaries, the outcome of which will demand further treatment in the sequel, the party of Prince Kung persuaded the Empress-Dowager

to accept the advantages thus unexpectedly offered them by this most paradoxical of "barbarian" nations.[1]

The popularity of the new treaty was very great in the United States as soon as its provisions were published. This appears to have been especially the case on the Pacific coast, where the planters and manufacturers were gratified at the prospect of a larger labour supply. On his way to Peking the new minister, Mr. J. Ross Browne, informs the state department of the amicable sentiments of the Californians in the following personal note to its chief clerk, Mr. Robert S. Chew: "It may interest you to know," he writes from Oakland the day before sailing, "that the new treaty as reported by telegraph has met with the cordial indorsement of the press of California. There is no unfriendly feeling here toward the Chinese among the influ-

[1] The foreign mercantile class in China objected more strenuously to the treaty than the Chinese reactionaries. Here is a typical specimen of their criticisms: "It has been caustically said that the document was a mere advertisement for Mr. Burlingame to show European courts that he was not a mere ambassadorial shadow, but a real plenipotential envoy. At any rate it is an unfortunate document, for its purport is decidedly retrogressive as regards foreigners, though it raises China to a footing of mere (*sic*) perfect equality and relieves Chinese from disadvantages under which they had previously suffered in California. . . . It was distinctly unwise to expressly abandon pressure at a time when it was being usefully exerted to induce the Chinese authorities to open up the mineral resources of their country." ("A Retrospect of Political and Commercial Affairs in China," reprinted from the *North China Herald*, Shanghai, 1873, p. 9.)

ential and respectable class of the community. The objections urged against them are purely of a local and political character, and are confined chiefly to the lower classes of Irish. A much more liberal sentiment now prevails on this subject than formerly. . . ." [1] His opinion is reflected in the journals of that date, but the "lower classes of Irish" were presently able to overwhelm the influential and respectable element in California, as they have, occasionally, elsewhere in the world. Throughout the country the newspaper press in commenting on the treaty re-echoed almost automatically the pleasantness and peace that had been extolled during the journeys of the Mission about the land. It cost them nothing to do so, but the following exordium to a discussion of "Our Future Relations with China," from the *San Francisco Evening Bulletin*,[2] reveals something more than the inexpensive morality usual in editorials:

It should not be forgotten that the liberal treaty just concluded, while it secures new privileges for Americans abroad, imposes new duties upon them at home. There must be an abandonment of the wretched proscription which has characterised our domestic policy toward the Chinese, and which has

[1] United States Department of State, MS. vol., "China," vol. 28, Browne to Chew, August 2, 1868.

[2] July 31, 1868.

led to a degree of injustice and cruelty which would have provoked a war had it been practised upon our own people in China or Japan. What there is in Chinese habits and morals which is properly obnoxious to us, we are amply protected against by the character of our own race and institutions, and perhaps no better missionary work can be done than to set the example in our own conduct of forbearance and toleration. For all that is good in them they can be utilised as they come voluntarily among us without disparagement or peril to ourselves. Consular representation will enable them to demand the equal protection hitherto refused them in this state, and the Fourteenth Constitutional Amendment will compel its extension. California cannot longer defy the national sentiment on this point, and no political capital can be made by future demagogue appeals to a brutal or unreasonable prejudice.

Shortly after our platonic declaration of the desirability of international intercourse and free migration, apprehensions concerning the influx of Chinese labourers on the Pacific coast of the United States caused a profound change of sentiment, and ultimately resulted in a policy of exclusion as severe as any which the Chinese autocrat had in times past decreed against the Caucasian. It has never been a characteristic of the white race to exercise urbanity when its particular interests are menaced. Had the Chinese, when they apprehended a similar threat in the presence of foreigners on their own soil,

acted as vigorously as the Americans did after 1869, we should, perhaps, have understood them better and respected them more, whatever the outcome of the contest might have been; or it may be that if we had been rather less contemptuous of them we should have felt more of that hatred which is born of fear. With the troubles which began in California and continued with more or less acrimony for forty years this study has, fortunately, nothing to do. Their only relation to Mr. Burlingame lies in the contumely which was thereby heaped upon his name as the author of a clause allowing the free immigration of Chinese into America. Yet there is no evidence that he was the originator of the anathematised article recognising "the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their subjects respectively." The doctrine had been insisted upon ever since 1766, and its corollary, the right of expatriation, had been proclaimed in a resolution voted by Congress two days before the treaty was signed. Though accepted by Mr. Burlingame, the clause bears internal evidence of Seward's contrivance,[1] for the express purpose

[1] Dr. W. A. P. Martin gives direct testimony to this effect: "The draft of that document was drawn up, not by Mr. Burlingame, as generally supposed, but by Mr. Seward, as the 'great secretary' himself told

of encouraging the immigration of Chinese labourers for the Pacific railway. It was on behalf of this favourite project that he reprobated the rising feeling against Asiatics in California during his visit to that State in the following year, and until his death he remained strongly opposed to the reaction.[1]

The price paid by Mr. Burlingame for his facile success with the people of America was, therefore, the resentment of a majority of the foreign residents in the Far East, and a long period of obloquy under which his name suffered among his countrymen in the Far West.[2] Yet, so far as he was accountable to his clients in drawing up this document, he may be said to have served them handsomely, for by it Chinese

me with no little satisfaction; but it goes without saying that he embodied the ideas of the Chinese envoys." ("A Cycle of Cathay," New York, 1896, p. 376.)

[1] "While in California in 1869 he did not hesitate to protest against the almost unanimous feeling pervading the community against Chinese immigration. He condemned the policy of exclusion and persistently maintained that immigration was an element of civilisation, especially to the Pacific coast, and that the attempt to suppress its invigorating forces would ultimately prove a failure." ("Seward's Works," vol. V, p. 50.)

[2] One example from the voluminous literature on Chinese immigration to America will suffice: "We charge that Anson Burlingame sold his country's birthright for Chinese money. . . . For the purpose of obtaining prestige, with which he might work upon Great Britain in the interest of China and earn his fee, Mr. Burlingame induced his country to yield up a sovereign attribute never before surrendered by any free people. . . . It was conceived in fraud and chicane. It was negotiated at a time when no treaty was wanted by either country, and not for the purpose named in the treaty." ("Memorial to Congress," drafted by F. Swift and others, 1886.)

in America were to be treated exactly — with the right of naturalisation reserved — as were foreigners from Europe. China had achieved no such recognition for her subjects abroad from other Christian states. The mistake in the treaty, to which ensuing years lent an unpleasant emphasis, does not appear to have been the fault of the negotiator on the part of China so much as that of the one on the part of the United States. This was its needless turning into an express stipulation, requiring formal diplomacy and statutes to modify, a privilege which both parties to the contract already enjoyed to their own satisfaction by custom and tacit understanding. Such was the embarrassment Americans brought upon themselves by declaring the right of migration to be inalienable, and promising Chinese subjects in America what they had not themselves asked for — the same "immunities and exemptions" as we accorded the subjects of all other nations. We thus committed ourselves unnecessarily to a principle which, in a few years, we repudiated most shabbily. Subsequently the case for America was made worse by attempts of Congress and State legislatures to pass laws in plain contravention of this and other treaties. Under such indignities China, having no desire to encourage the emigration of

her subjects abroad, preserved a commendable patience, and conceded to us the further restrictions demanded of her. But her statesmen, though happily unconscious of the troubles in store for them, were justified in their hesitation to accept a compact which seemed to them superfluous at the time, and to offer them terms the fulfilment of which their experience of Western powers did not guarantee.

Professor Mayo Smith concludes his discussion of this phase of a highly controversial question as follows: "As a matter of fact, it does not appear that the Burlingame treaty changed the actual condition of things very much. The privileges granted to American citizens in China in regard to trade and religion were precisely those granted in the treaty of 1858. China promised to treat American citizens in the same way that she treated the subjects of the most favoured nation. She promised to do no more now. The reciprocal privileges granted to the Chinese of free exercise of their religion here, and to Americans of free entrance to the educational institutions of China, were of no practical value, because one was already enjoyed and the other would hardly be desired. The position of the Chinese here was precisely that which they had always shared with other foreigners. The

only privilege which they had not enjoyed or of which their enjoyment was doubtful (namely, of naturalisation) was expressly withheld by the treaty." [1]

[1] "Emigration and Immigration," p. 233.

THE CLARENDON LETTER AND BRITISH POLICY

IF Mr. Burlingame had arrived in America with some sense of trepidation, he departed in triumph. He had spoken to his countrymen with singleness of heart of a great purpose, and his appeal to their higher instincts had succeeded almost beyond his hopes. With no intimation of the reaction against the treaty provisions in favour of the Chinese, which were soon to excite the distrust of the Pacific States, he left his native land happy in the confidence that he had been instrumental in inducing a strong nation "to give a weaker one her rights from motives of impartial justice and generosity." [1] In a sketch of his life contributed to the *New York Times*,[2] a writer describes Mr. Burlingame on the eve of sailing for Europe, sitting up far into the morning with a few personal friends, speaking "of the future that he saw before China and the United States with rapturous enthusiasm, and of the Mission in Europe with hope, but not without concern."

[1] J. L. Nevius, "China and the Chinese," New York, 1869, p. 440.
[2] February 24, 1870.

He expected no such welcome in England as he had received in America. Not only was there a difference in national temperament between the two halves of the Anglo-Saxon race, but Englishmen entertained exaggerated ideas of the significance of this Mission, and were disposed to indulge in assumptions about its immediate purpose which the occasion could not warrant.[1] The new treaty was pronounced by the man in the street in London to be an American success obtained from China at the expense of Great Britain. There was not much love lost at that time between Englishmen and Americans; responsibility for the *Trent* affair, for the *Alabama* captures, and for paralysis in the cotton industries was still laid at the door of the Yankees while awaiting adjudication in the courts or in the minds of men; and, apart from a general sentiment against America that prejudiced the upper classes in England, the honest

[1] This was the case, indeed, on both sides of the Atlantic. The editor of the *Eclectic Magazine* (New York, September, 1868) hails Mr. Burlingame as the "head of a Mission the most important, perhaps, in the annals of diplomacy, . . . the herald of a new epoch, the inaugurator of a revolution the most momentous the East has seen for two thousand years." A writer in the October number of the *Westminster Review* describes it as "one of the most irrevocable steps that the Chinese Government has ever taken." Again, "A Resident of Seventeen Years in China" appeals to the *London Times* (July 8, 1868) against "the attempt on the part of Mr. Burlingame to reverse our policy in China. If Mr. Burlingame succeeds, then, sir, we shall, without a doubt, be involved in wars, though not in the direction indicated by Mr. Burlingame."

Englishman was devoutly convinced that China owed everything to his countrymen. To the public at large, mindful of their past achievements, and of the enormous preponderance of their interests in the Far East, Asia as a continent in need of reclamation appeared to be Britain's particular province for exploitation and control. The new treaty seemed to imply a preposterous concession; it recognised the equality of Asiatics with Europeans, and the prospect of the upstart American in a leading rôle, challenging at once the adequacy of the accepted theory and the rationale of British primacy in the East, was repugnant in the extreme.

In contrasting the attitude of America and Europe at this period no inference need be drawn as to the moral superiority of either in its policy toward China. Substantially the same standards obtained on both sides of the intervening ocean. The same arrogance of dominant materialism, slightly mitigated by the gospel of charity, alike controlled all the nations of Christendom, and it controls them still. In the new world, however, where the forces of society were absorbed in repairing the losses of the Civil War and in developing the great resources of the country, Asiatic affairs presented only remote and speculative interests that touched the per-

sonal concerns of scarcely one in a hundred thousand of the population. A few moralists and men of ideas could readily arouse audiences to the crying needs of pagan China, and the duties of Christian governments toward a derelict empire that threatened no Western power and even offered prospective advantages of commerce. To common men and politicians who represented them in their legislatures, China was another world. But when their interests at home seemed to be menaced by the presence of a few thousand competing Asiatic labourers in California and elsewhere, the "heathen Chinee" instantly ceased to be the harmless representative of an outworn and necessitous nation, and Americans in their new-found fears arose to denounce him in terms as illiberal as any that had been invented in England. All that can be urged in behalf of the United States at this juncture is the fact that its government resolutely sustained its honour against the attacks of Congress and the politicians by enforcing treaty protection, and that a sturdy minority of thoughtful men there remained true to the Burlingame doctrine of *laissez vivre* toward China.

In Europe the problem of China was of more pressing importance. England's stake in the Oriental trade, being greater than that of any

other nation, gave her a sort of primacy in ordering the policy of the West toward the East. Her success in this great business had bred up a considerable number of men whose wealth, accumulated in dealings with Asiatics, brought them prominence at home and prestige as experts in an obscure and difficult process. They were accustomed to be consulted in all matters involving Eastern peoples. Their authority was thought to be justified by the prudence and skill with which they had won prosperity under anomalous conditions. They cannot, on the whole, be accused of impropriety so far as their personal transactions with the Chinese were concerned. But merchants, as a class, are never idealists, or the best representatives of the highest ethical standards of their country, nor are they apt to be progressives. Men of this very proper sort, having spent the best years of their lives in amassing fortunes amongst alien peoples in whose institutions they had no concern, kept aloof from the "natives" while residing in the East, but confidently aired their opinions upon Oriental subjects on returning home where there were few to dispute their claims to wisdom. "There is perhaps no country in the world frequented by the English-speaking race," writes one of the ablest British consuls of this period,

"in which merchants are so lamentably ignorant of the customs and resources of the locality in which they live as they are at this moment in China, and this is entirely to be attributed to a want of familiarity with the language." [1] Yet this was the class with which England took council — a class inheriting traditions formed under the old East India Company régime, with such enlargements as their wider opportunites suggested. Successful collisions with the Chinese authorities had taught them that any object might be attained in that land if a European government could be induced to support it by a show of force. They were much too limited in their political insight to perceive that this method of promoting trade operations involved such loss of prestige to the Chinese state as to bring about the series of rebellions that had already devastated two-thirds of China and sapped its resources. These rebellions, moreover, opened the way to a new species of Europeans, sheer adventurers[2] whose presence in the empire stul-

[1] W. H. Medhurst, "The Foreigner in Far Cathay," London, 1872, p. 30.

[2] A memorial of Messrs. Jardine, Matheson & Co., to the governor of Hongkong acknowledges that "the privileges conceded by the treaty, the enforcement of which we now advocate, were at the time of their concession calculated, perhaps, to throw broadcast upon the empire a lawless body of men, unacquainted with restraint and amenable to no authority; for not only was the general temper of the foreign mind then exultant and unruly, but the common desire of both imperialists and rebels to avail of them for military purposes had attracted to the shores

tified the honourable efforts of their diplomatic representatives to bring her officials into accord with the true principles of Christian civilisation. When to these elements of ignorance and evil from the West are added the iniquitous continuance of a traffic in opium utterly detestable to the ideas of high-minded Chinese, some conception may be obtained of the social and commercial antagonism to Mr. Burlingame's Mission, and of the need of a valorous and eager idealist determined to arouse the conscience of Christendom to its duty.

When the idealist appeared he met with the reception usually given to men of his kind. We have been told that a prophet is not without honour save in his own country; in the present instance the reverse seemed to be true. His propaganda had been palpably successful at home, and this success did not, under the circumstances, improve his chances for converting the British to his views. Nevertheless, the contrast involved in the welcome given him by the two countries was more striking in appearance than in the real issue. The triumph secured in America was transient, and, in the nature of

of China a most ungovernable collection of abandoned adventurers." ("Memorials Presented by the Chambers of Commerce in China to the British Minister." "Parliamentary Papers,," presented February 24, 1868, p. 31.)

the case, bound to be so. His cause was of a sort to discredit its upholder in popular esteem wherever it was seen to affect the pockets of men, and time alone could justify the pecuniary sacrifice demanded. Human society is so constituted that however willing it may be to forgive reformers who have vindicated their claims in a particular group, there is no popular plaudit for the knight-errant who devotes his life to the cause of another race or nation. The champion of an international suit is almost doomed to be discredited or forgotten. Mr. Burlingame's indifference to the loss of popularity inevitable in the pursuit of this policy was a witness to his deepening character, and this deepening proceeded step by step with his growing conviction that to reverse the old attitude of the West toward the East was to take the first stride toward insuring the prosperity of the world for another century. The opposition of vested interests to this plea for a mistreated people awakened in him the same eagerness which had in his earlier days inspired his attacks upon slavery. It even mattered little to him that he might for a time be misunderstood by the court and country he was serving. As the champion of a great cause he could afford to wait until they were freed from the shackles of an antique conserva-

tism and became aware of the security he had won for them.

Allusion has already been made to the contumely poured upon the treaty by Europeans in China, and something more will presently be said of their antagonism. The common opinion at the treaty ports was that under a principle of equal treatment to Chinese and foreigners in commercial and diplomatic matters life would no longer be worth living to the latter. In England its unpopularity, such as it was, arose from a sentiment of dislike toward Americans and suspicions of their motives in directing a new policy in regard to China. Its provisions appeared to the moral Englishman as a bid for Chinese favours from America, to which country China owed nothing, while she was bound by positive and weighty obligations to England. Surely the Chinese ought to know, despite their defeats in three wars, their loss of an island, their acquired taste for opium, and the destruction of an Emperor's palace, that Britain was their best friend, who had imparted a few wholesome lessons, indeed, but who had enriched them by trade and saved a dynasty tottering upon its throne. It appeared incredible to the thoughtful observer in London that China could interpret the events of the past half-century in her

own fashion and deny the advantages of things thrust upon her which she did not want. To behold her now turning for help to America indicated either the machinations of another power — presumably Russia — or a desperate attempt to return to the old Hermit-Nation expedient. "We rise from the perusal of this treaty," declares one of these representatives of British insularity, "with the conviction that there is more under it than appears on the surface. It bears distinct trace of foreign inspiration, and it is our belief that this inspiration did not originate with the Chinese Government at all; that the idea of enlisting Mr. Burlingame as a temporary recruit for furthering Chinese ends, so far from being spontaneous, emanated from a foreign brain, and was suggested by the departure of the American envoy, then on the eve of quitting Peking. The plan was no doubt cordially welcomed by the Chinese ministers, who, having but one object at heart, gave but one instruction — 'Stop all progress; as to the rest, *carte blanche;* say and do what you like.' The treaty concocted by the Mission on its passage from China is the result before us." [1]

Without pausing to comment upon the charming if unconscious touch of arrogance implied

[1] The *Times*, London, September 2, 1868.

in the statement that the treaty was concocted by the mission in America *on its passage* to the centre of civilisation, it is enough to conclude that public opinion in England, though prejudiced, was not actually hostile. The press in London paid little attention to the Mission during the elections which occurred in the month of November, and assumed a waiting attitude. A ruffled reader of the *Times* complains (October 16), that "if the Hereditary Grand Duke of the Stiff und Starkenstein had paid us a visit a special train would have conveyed his Serenity from Southampton to London, a deputation of directors would have been in attendance at each railway terminus, and her Majesty's carriages, accompanied perhaps by a squad of Life Guards, would have conveyed the stranger to Windsor. . . . But for the representatives of one-half of mankind we have no national welcome to offer. For all we hear of them they might be a group of private gentlemen who had come to London to see the Tower and Mme. Tussaud's wax works. I know enough of Chinamen to feel pretty confident about their feelings on the subject, and if it be our aim to humiliate and vex them our policy is likely to meet with entire success. But the Americans, who are not bad judges in such matters, acted on quite a different prin-

ciple when they had such an opportunity as we are now neglecting. I can imagine the astute New Englander who is at the head of the Embassy smiling grimly over our mistake."

The criticism was shrewd, but the emphasis was rather excessive. The China of 1868 had no idea that she was risking her national reputation in this Mission and little that she was thereby advertising herself to new friends; had a suspicion of this been entertained it would not have been sent.

After waiting a month in London the envoys were presented to the Queen at Windsor on November 20 by Lord Stanley. A fortnight later Disraeli's ministry was replaced by Gladstone's as a result of the Liberal victory at the polls, and fortune favoured Mr. Burlingame in the appointment of Lord Clarendon as minister of foreign affairs, a statesmen whose whole life may be said to have been devoted to the cause of peace and progress. With such a man the envoy's powers of direct appeal were certain to prove effective. An interview in the Foreign Office on December 26 resulted in the following letter from Lord Clarendon, from the publication of which has been dated the demise of Palmerston's "strong-hand" policy in Asia and the establishment of intercourse upon the

principles propounded by Bruce and Burlingame in Peking.[1]

FOREIGN OFFICE, *December* 28, 1868.

SIR: I gathered, from the conversation which I had the honour to have with you on the 26th inst., that the objects of the Chinese Government in sending a diplomatic mission to Europe were twofold; one, that by means of such a mission the European powers might be disabused of an impression which it was supposed at Peking that they entertained, that the Chinese Government had entered upon a retrograde policy, and contemplated not only refusal to enlarge their relations with Christian nations, but even restrictions within narrower limits of the intercourse which, under treaty, those nations were entitled to hold with the Chinese dominions; the other, to depreciate any intention on the part of European powers to bring to bear on China any amount of unfriendly pressure to induce her rulers to enter precipitately on a new system of policy which would seriously affect her independence.

I understood from you that the Chinese Government were fully alive to the expediency, or even necessity, for their own interests, of facilitating and encouraging intercourse with foreign nations; for they were sensible of the advantages that would re-

[1] Lord Clarendon's acceptance of Mr. Burlingame's inspiration receives another name, of course, from upholders of the Palmerston tradition. Here is a typical estimate of this change of policy by one of them: it is "the relapse of Great Britain into an effeminate, invertebrate, inconsequent policy, swayed by every wind from without or within, and opposed to the judgment of her own experienced representatives — the policy which has beyond doubt led to the decline of British prestige in Asia." (A. R. Colquhoun, "China in Transformation," London, 1898, p. 221.)

sult from a greater assimilation of their rules and practice to those of other nations, and from the adoption of the improvements by which the industry of Europe has been so much developed and the happiness of its people so much increased; but that with all this they felt that any attempt abruptly to introduce new systems or new ideas among a people whose knowledge of foreign nations was of recent date, and who had been brought up under a traditional system, to which they had been accustomed and were attached, would not only produce confusion and even revolution in the country, but would tend to retard instead of promoting the progress, the necessity for which the Chinese Government fully admitted and were desirous to encourage, though they wished to be allowed to do so by degrees, and without any sudden and violent shock to the feelings, passions, and even prejudices of their people.

Her Majesty's Government, I informed you in reply, fully admitted that the Chinese Government were entitled to count upon the forbearance of foreign nations; and I assured you that, as far as their country was concerned, there was neither a desire nor intention to apply unfriendly pressure to China to induce her government to advance more rapidly in her intercourse with foreign nations than was consistent with safety and with due and reasonable regard for the feelings of her subjects.

But her Majesty's Government, I said, expected from China a faithful observance of the stipulations of existing treaties, and reserved to themselves the right of employing friendly representations to induce the Chinese Government to advance in the course opened up by those treaties, and to afford greater facilities and encouragement and protection to the

subjects of foreign powers seeking to extend commercial intercourse with the Chinese people.

Her Majesty's Government feel that they may fairly appeal to the Chinese Government, though always in terms of friendship, to act in this spirit toward themselves and other foreign nations; and they would do so with the more confidence because they may be excused for believing that the interests of China will be advanced in a far greater degree than those of foreign nations, by steadily availing herself of the opportunities within her reach for applying to her empire the skill and experience of the nations of Europe.

But her Majesty's Government are, moreover, entitled to expect from China as an indispensable condition of their goodwill, the fullest amount of protection to British subjects resorting to her dominions. They are aware that the provincial governors are too often in the habit of disregarding the rights of foreigners, trusting to impunity as regards the Central Government of Peking, and to the unwillingness of foreign powers to assert the rights of their subjects by local pressure.

Her Majesty's Government feel that they are acting in the interest of the Chinese Empire when they announce their preference rather for an appeal to the Central Government than to local authorities for the redress of wrongs done to British subjects. It is with the Central Government and not with the provincial authorities that foreign powers have entered into treaties, and it is for the interest of the Central Government that foreign powers should recognise its supreme authority over its provincial governors, and that the Central Government should assume, and, on all occasions when appealed to for

the redress of local wrongs, be prepared to exercise that authority.

These observations will, I trust, enable you to reassure the Government of Peking as to the friendly feelings entertained toward it by the British Government. It rests with the Central Government so to order its intercourse with Great Britain and the Queen's subjects as to avoid cause of difference and to preserve unimpaired the friendship of this country.

I have only to add, that all her Majesty's agents in China have been instructed to act in the spirit and with the objects which I have thus explained to you; and generally to caution British subjects to pay due respect not only to the laws of the empire, but, as far as may be, to the usages and feelings of the Chinese people.

I am, &c.,

CLARENDON.[1]

In transmitting a copy of this letter to Sir Rutherford Alcock at Peking, his lordship informed him that "her Majesty's Government wish the policy indicated in this communication to be observed by her Majesty's agents in China in their dealings with the Chinese authorities and people, and I have to instruct you to give directions to her Majesty's consuls accordingly, and also as to the general caution to be given to British subjects, when occasion may

[1] "Parliamentary Papers, China, no. 1 (1869)." "Correspondence Respecting the Relations between Great Britain and China." "Official Papers of the Chinese Legation," Berlin, 1870, p. 40. The letter was first printed in *The Times* of February 19, 1869.

arise, as to their demeanour toward the Chinese; although it may not be necessary that they should issue any express notification on the subject. That point, however, I must leave to your discretion."

It happened — as already described — that the disturbances at Yangchow and in Formosa, occurring since the departure of the Mission from China, had been redressed in the old-fashioned way by a display of force on the part of British consuls. One of the earliest indications of the change in foreign ministers, when Stanley was succeeded by Clarendon, was the latter's judgment passed upon the actions of these consuls in a letter to the minister[1] declaring that his "communication with Mr. Burlingame rendered it necessary that he should not defer making his observations." When the specific nature of these criticisms transpired the merchant communities at the ports broke forth in reprobations the echo of which has hardly yet died away. The change in British policy seemed to them to bring with it the doom of all profitable intercourse with China. It meant the summary removal of that mighty leverage by which European traders had supported their business against Chinese interference and com-

[1] Clarendon to Alcock, January 14, 1869.

petition. Their apprehensions were natural. They recall the protests of the servants of the East India Company against Clive's reforms, in 1762, of conditions in Bengal that, while more brutally oppressive toward the Asiatics, were not dissimilar in nature. It is easy to comprehend the attitude of the merchants who regarded the proscription of the old plan of coercion for redressing grievances and injuries as the withdrawal of a vested right, but we must recognise that it was the animosity thus engendered against Mr. Burlingame's idea which succeeded in covering his Mission with a disparagement that has never been removed. Here were the "Fair-Play" and "Co-operative" policies of the closing decade no longer presented in the innocuous forms of subjects for newspaper discussion, but applied to actual commerce with a vengeance. In China as in America the Caucasian has ever displayed a fine tolerance in the contemplation of lofty ideals when dealing with one's own neighbours; but when the purse is touched, as it is in the free competition of Chinese traders or labourers, idealism gets little reverence. Burlingame, the idealist, had aroused the antipathy of the moneyed class both in Europe and America; his reputation has never yet been entirely redeemed from the effects of their execrations.

So manifest a change in the policy of Great Britain as that implied in Lord Clarendon's communication to Mr. Burlingame could not pass without rigorous criticism on the part of those whose business was likely to be affected. They at once recognised the document as equivalent in principle to a formal treaty and, taken in connection with the convention then under negotiation in Peking, it was not improperly set down as an achievement of the Mission hardly second in significance to the treaty concluded at Washington. The English press discussed the matter with too little understanding to render an examination of editorial comments profitable at this time, and sufficient notice has already been taken of the recalcitrant attitude of the foreign merchants in the East and of their disapproval. It is only necessary here to scrutinise the arguments of two writers whose views reflect the opinion of moderate British conservatism. The first of these is contained in an article on "Our Policy in China," published at the time in the *Westminster Review*[1] by Mr. James Barr Robertson; the other is Mr. Alexander Michie's chapter on "The Revision of the Treaty," in his "Englishman in China," published in 1900.

According to Mr. Robertson Lord Clarendon's

[1] Vol. 93, p. 180.

volte face was precipitate, and founded upon assurances which Mr. Burlingame had no right to give. Conscientious foreigners were united in denying any spontaneous desire for progress discernible in the Chinese Government, but found, on the contrary, the old spirit of pride and conceit to be as dominant as ever. He openly admitted that it would be impossible for Europeans to stay in China if they ceased to browbeat the natives or extended to the empire the full rights of international law. To act generously toward her would be interpreted as a confession of weakness, would ruin the prestige of Great Britain and deprive China of her strongest motive for attempting progress. No half measures satisfied this avowed upholder of the right divine of the white man to assume the rôle of schoolmaster among the lesser breeds of the earth. "If China will assent to progress and the development of her resources under a system of well-considered pressure by the foreign ministers, even if its rulers are under fear of armed compulsion if they refuse, we cannot see that the exercise of this pressure in a responsible manner by the foreign governments is objectionable. Any improvement in China is only possible under such a system. We have no desire to be unjust or unreasonable toward the Chinese, . . .

but we strongly object to any assurance being given the Chinese authorities that the time and manner of their progress are left to their own discretion, and that, therefore, they need no longer fear to disregard the demands of the British minister at Peking." "The judgment of the Chinese themselves," he continues, "on the perils that beset their future course is utterly worthless; there is no statesman in that empire who contemplates the future except in the light of a hoped-for return to ancient customs and ancient predominance."

The fact that Lord Clarendon had made his programme contingent upon a faithful observance of the treaty by China[1] seemed to this amiable autocrat a proviso of no worth because the state of China forbade any hope that the contract would be satisfactorily observed. Passing over this *non sequitur*, we come to one still more glaring. The British minister in Peking, he thinks, must be authorised to bring about

[1] He explains this carefully to Sir Rutherford in the following words: "I requested Mr. Burlingame to bear in mind, and to make known to the Chinese Government, that we should henceforward have a right to expect on its part the faithful fulfilment of treaty engagements, the prompt redress of grievances referred to the Central Government, and friendly treatment of British subjects by the Chinese authorities. This, I said, was not only just and reasonable in itself, but also necessary in order to enable her Majesty's Government to give full effect to the policy which they desired to observe toward China, particularly with reference to not having recourse to measures of force unless for the immediate

hostilities whenever he regards it to be absolutely necessary. "So long," he argues, "as a question or complaint is in the hands of a minister it is one for negotiation to be settled by strong language or a gunboat; but the moment the case is referred to London the question becomes international and the honour of the British nation demands vindication by an appeal to arms." It was impossible for a censor with such prepossessions to realise that in due time direct telegraphic communication with the Far East would curtail and practically vitiate the sovereign power in which he wished to clothe the British envoy, or that a Chinese legation in London would presently have its share in effecting the settlement of disputes. Nor could he see that, whatever the friction of changing systems and of educating the Chinese Government to its new responsibilities, the only safe principle in the conduct of international relations

protection of life and property. Mr. Burlingame agreed, and promised to make a report of my observations to Peking.

"You will observe in Mr. Burlingame's letter that he clearly understands that force may be at once employed 'to protect life and property immediately exposed.' When, these being secured, the question at issue has been referred to Peking to be diplomatically discussed between her Majesty's representative and the Central Government, the manner in which the matter should thereafter be dealt with, if it could not be amicably settled on the spot, would necessarily be left to the decision of her Majesty's Government, after hearing the report of her Majesty's minister, and full consideration of all the circumstances of the case." (Clarendon to Alcock, January 13, 1869.)

was to recognise that government as alone responsible. The danger of intrusting such powers as he suggests to any diplomatic agent — or any human being — was conveniently ignored. "Will Mr. Robertson," demands an old resident of Shanghai who entertained broader views, "have the goodness to tell us where we are to find such Heaven-endowed ministers for China? — men capable of being trusted to decide by their own fiat whether or not the empires of Great Britain and China shall at any moment be irretrievably involved in war?" [1] However necessary such powers might conceivably be in the anomalous period when the two civilisations first met, they had already become dangerous and discreditable and needed to be replaced by a policy more in accord with law and diplomacy, even at the cost of some embarrassments in the beginning. As one of the beneficiaries of the system which had obtained for half a century in China it was as difficult for a writer of the Robertson type to understand this as it had been for the Southern planters in America to comprehend the political and economic arguments advanced against slavery before the Civil War. The ulterior dangers lurking in the preposterous assumption of this school were revealed in a leader in *The*

[1] J. MacDonald, "The China Question," London, 1870, p. 29.

Times which disposes of the opponents of Lord Clarendon from no unselfish motive.

The virtual certainty that this country can compel the Chinese to yield to any number of such demands as it pleases to make ought to render its officers peculiarly rigid to scrutinising the justice of claims by their countrymen for vengeance. . . . The system of immediately resorting to force to cut the knot of any difficulty was dangerous even when the relations of Europe to the central authority in China were intermittent. This easy process of proof that right was on the side of the foreigner had a tendency to induce a demeanour on the part of European merchants most unfavourable to the establishment of a kindly and natural feeling between them and the natives. . . . If Great Britain take into her own hands the punishment of provincial anarchy or insubordination there, the court of Peking will not be at much pains to enforce satisfaction for British wrongs which British subjects are thus ready to enforce for themselves. Still more, if every official of this country assert the right of chastising such offences without communicating either with the Chinese or his own government, it must be expected that the several officials of other nations equally interested in Chinese trade will claim the same privilege. It is not difficult to see that no country would suffer more materially from the establishment of such a licence than this.[1]

The strictures of Mr. Robertson are chiefly interesting as a revelation of the theory of

[1] *London Times*, January 11, 1869.

British "rights" in China commonly accepted at that time. His arguments hardly need refutation now. Those of Mr. Michie inveigh more particularly against the subject of this sketch as the source of England's discomfort. "Taken textually," he says, "the negotiations between Mr. Burlingame and Lord Clarendon were of a platonic nature. Her Majesty's Government undertook to apply no pressure to China." [1] As the author of "The Englishman in China" was resident at the time of this issue in Shanghai and wrote in that work the ablest and most authoritative account of British relations with China that has thus far appeared in print, his charges against the "Burlingame influence" require consideration. They consist of two counts: that a British Cabinet minister should have demeaned his office by pronouncing judgment upon British representatives at the instigation of an American, and that to pledge his government to refrain from applying pressure was "one of those gratuitous acts which all diplomatic experience condemns as fraught with future embarrassments."

It will be recognised as eminently characteristic of Gladstone's ministry that one of its first diplomatic acts should have been not only a

[1] A. Michie, "The Englishman in China," vol. II, p. 209.

removal of the "Palmerstonian tradition," but a candid confession that England had played the bully too long in eastern Asia and now repented of her past. Though the act was Lord Clarendon's, the spirit which prompted the communication to Mr. Burlingame was that of his chief as well. It seems unnecessary, if not absurd, to read into this change of policy at the beginning of a new administration the demoralising influence of a foreign adventurer — especially when the personal characters of Gladstone and Clarendon are remembered. Even if these are ignored, unless we are to believe that the prime minister had no knowledge of what his secretary for foreign affairs was doing, we must infer that the new instructions issued to the diplomatic and naval officers stationed in China were sanctioned by the British cabinet as a whole. It ascribes to Mr. Burlingame powers hardly short of magical to conclude from his presence in London at this juncture that, "adroitly seizing on the repression of the Yangchow and Formosa outrages as flagrant examples, he succeeded in incensing Lord Clarendon against the various British officials concerned in these troubles, whom his lordship visited with punishment which scarcely stopped short of vindictiveness."

In favour of the second count it might be urged that instead of a pledge to the Chinese Government the object in view could have been obtained by instructing Sir Rutherford to refrain from applying pressure in the ancient and accustomed way. Mr. Burlingame probably approved a stronger and more public statement in order that it might commit the British Government to the policy for which he and Sir Frederick Bruce had stood from the beginning, precisely as Secretary Seward had committed the American Government in the recent treaty to a formal declaration of the inherent right of free migration, though the right had been shared by all immigrants to America alike. As the ambassador of China he very properly desired to safeguard her interests, and to this end he based his proposal upon a considerable personal experience in diplomacy which had taught him that instructions dictated by expediency to diplomatic officials in the Far East varied in their complexion like the phases of the moon unless regulated by some authoritative declaration of policy. The question involved here is not, however, Mr. Burlingame's action; whatever his schemes he is acknowledged by his most indignant English critics to have succeeded. The blame is thrown upon Lord Clarendon for

embarrassing his diplomatic agent while negotiating a treaty revision, and for inspiring the Chinese reactionaries with the momentary hope that England was about to withdraw the mailed fist from the civilising influences she had sent among them. He is censured, moreover, for thus rendering his agent's negotiations futile, because, inspired by this hope, they would not concede the changes demanded by foreign merchants. But this was not the reason for their refusal. China was holding her own in an argument; before this date she had never been allowed to really argue the terms of her treaties, they had all been won from her by sheer force. The English had so accustomed themselves to her abject submission in disputes that, having proposed an amicable debate in a period of peace, they did not know how to play the game.[1] They expected to secure a number of

[1] By this is meant the commercial English whose objections ultimately prevented the ratification of the convention, to the disappointment of their government. In commenting upon his completed work, Sir R. Alcock writes: "I have both accepted and made concessions of more or less importance, keeping in view the material condition of the empire, the actual situation of the government, and the true interests of both countries. I had already last year announced to Prince Kung that I held nothing was to be gained by negotiating for the exclusive advantage of either nation to the prejudice of the other; and my conviction that the interests of both must be consulted. I am persuaded that on no other basis can permanent relations of amity and commerce be maintained. There must be reciprocity of benefits as well as a spirit of fairness and desire for mutual accord. We may not get all that could be desired by strictly adhering to such a policy, nor obtain the most reason-

sweeping changes, but they were unwilling to give anything in return, and when it was found that China could not be influenced to her own disadvantage, except in the old and costly way of war, the merchants deliberately preferred to resume the *status quo ante conloquium*, unsatisfactory as they still declared it to be. If there was a failure the responsibility was theirs.[1]

The English at home were actually enjoying their first opportunity of hearing the cause of China publicly advocated by one in authority who was not associated with Exeter Hall or anti-

able concessions even as promptly or as fully as we desire. But such as are obtained will be more willingly upheld by the Central Government, and therefore less likely to be evaded by the provincial authorities or rendered nugatory by indirect means. . . . It was not to be expected that China, for the first time in a position to negotiate as an independent and sovereign state, without preface or coercion would be disposed to concede everything and ask for nothing in return, or that the Chinese Government would not desire to avail themselves of the opportunity afforded by a revision to secure some modification of the terms which were originally imposed upon them without any choice on their part." ("Parliamentary Papers, China, no. 1 (1870)." Alcock to Baron Rehfues, October 20, 1869.)

[1] The main source for opinions of foreigners in China about the treaty revision of 1869 is the weekly *North China Herald*, published in Shanghai. The documentary material is contained in the "Parliamentary Papers: China, nos. 1 and 12 (1869)," and "nos. 1, 4, and 5 (1870)"; "Memorials Addressed to His Excellency the British Minister at Peking on the Approaching Revision of the Treaty of Tientsin," Shanghai, 1868; "Memorials on the Revision of the Treaty of Tientsin Forwarded to the Governments of Great Britain and the United States by Private Residents in China," Shanghai, 1869; "The Revision of the British Treaty with China. A Letter from the United States Consul at Shanghai [Geo. F. Seward] to the Secretary of State," Shanghai, 1869. The subject receives most impartial consideration in A. J. Sargent's "Anglo-Chinese Commerce and Diplomacy," Oxford, 1907; Robertson's *Westminster* article, and Michie's "Englishman in China," have been cited in the

opium tirades. The experience was a severe one to the nerves of their countrymen who had gone out to the Far East to amass fortunes upon the favourable conditions now incontinently threatened. The London press was at first, as already indicated, indifferent to Chinese politics. After the publication (January 4, 1869) of Lord Clarendon's instructions to British consuls in China to regard not only its laws but the usages and feelings of the people, it discovered the importance of these affairs. *The Times*, *Pall Mall Gazette*, and *Morning Star* began to speak sympathetically of China, and *The Daily News* and *Spectator* cautiously followed in the same strain, while individuals were found who ventured so far in plain language as to describe the model settlement of Shanghai, the cynosure of foreigners in eastern Asia, as "a sink of iniquity." [1]

text; A. R. Colquhoun's "China in Transformation," chap. VIII, is a mere echo of Michie's views, though published before the latter's book appeared.

It may be added that Sir Rutherford Alcock and Mr. Medhurst did not themselves believe that they were — to quote Mr. Michie's words — "discredited, stultified, and rendered powerless to effect the objects for which they had been labouring."

[1] An expression of the Duke of Somerset on the floor of the House of Lords. He also impartially denounced the missionaries as "rogues and enthusiasts." The editor of the *North China Herald* laments that "we have the disheartening conviction that we are not only misrepresented and misunderstood, but refused an opportunity of justifying ourselves, while the feeblest twaddle in support of the popular view finds ready publicity" (January 1, 1870). The Protestant missionaries in China warmly seconded the policy of peaceful action and reference to Peking, but the commercial bodies at the treaty ports, having control of the

newly established cables in Asia, coloured news telegrams with their anti-Chinese prejudices with considerable effect. The Tory newspapers in England made the most of these telegrams. "Ces organes," writes Félix Aucaigne, in *La Patrie* (September 1, 1869), "ne laissent passer aucune occasion de frapper sur tout ce qui touche directement ou indirectement à l'Amérique. Et ensuite ils s'étonnent que la grande nation du Nouveau-Monde soit si chatouilleuse, comme elle l'a prouvé pour l'affaire de l'Alabama. Si nous osions donner un conseil à cette fraction de la presse britannique, nous lui dirons que c'est précisément en agissant ainsi qu'on ne ramenera pas la bonne entente entre l'Angleterre et l'Amérique, et qu'on tiendra toujours suspendue sur la tête de la Grande-Bretagne la menace d'une guerre effroyable avec les Etats-Unis."

THE OPPOSITION IN CHINA

ONE man's inventive originality, impelled by no vanity or ambition but by the stress of an outward appeal to his humanity, had within the first year of his assumption of a great task won the consent of his countrymen to place China upon the same footing as other nations, and induced England publicly to caution her agents there to refrain from aggressive acts at the expense of Chinese authority in the empire. He had touched the pride and aroused the ideals of America, where the materialism of a democratic people has always been imbued with a certain capacity for abstract conceptions of righteousness that profoundly influences their policy. Though this sentiment soon clashed with the supposed interests of workingmen in the United States, and was extinguished for a time by narrow mercenary considerations, it reappeared in the crisis of China's recent career when Secretary Hay, in 1900, renewed Mr. Burlingame's appeal to the conscience of his countrymen, and America once more stood for a policy of fair play. As to

Great Britain, a hand-to-mouth arrangement begun in the days of the East India Company at Canton had been perpetuated by the cupidity of her traders in China under the plea that obdurate mandarins made it necessary to maintain a precarious foothold there by intimidating the natives. Thus a handful of Englishmen in that country, who were accounted experts in dealing with Asiatics, but who were generally ignorant of the language and genius of the people, dictated the course of England's relations with one of the great divisions of mankind. If Mr. Burlingame was only partially successful in checking a procedure to which long custom had given sanction, his failure may be attributed to the removal of his personal influence before his work of directing the Mission was accomplished, and to the strength and cohesion of the forces arrayed against him. Yet much had been really achieved. While the plan of the liberal ministry of 1868 languished in the reaction which followed the series of riots subsequent to 1870 in China, Great Britain never officially countenanced a renewal of the Palmerston tradition; and in the emergency of the boxer madness she joined America to save her national existence.

On the first day of the new year Mr. Burlingame acknowledged the receipt of Lord Claren-

don's dispatch, expressing his conviction that "this policy acted upon, will make wars with China impossible, or they will not occur without sufficient cause, and only after mature deliberation." The same day he transferred the Mission to Paris. The French empire had less sympathy, perhaps, with projects for maintaining the integrity of China than any state in Europe at that time, but pressing problems at home made it willing to follow the lead of Great Britain in matters of general intercourse. In reply to his indorsement of the Chinese Mission through the British ambassador at Paris, that gentleman was able to write the Earl of Clarendon, on January 5, that "the Marquis de Lavalette begged me to convey his thanks to your lordship, and expressed in general terms the disposition of the government of the Emperor to act in this, as in other matters, in accordance with her Majesty's Government." Napoleon III could not well refuse to receive the Mission after his esteemed ally Queen Victoria had given it audience, and the same precedent seems to have been accepted as valid in bringing other European courts to a similar conclusion. M. de Lavalette, in response to Mr. Burlingame's request for an opportunity to present his credentials to the Emperor, expresses the determina-

tion of his sovereign to demand similar courtesy from the Son of Heaven, but, like Secretary Seward, admits his minority as sufficient excuse for delay in insisting upon the right at present:

En votre qualité d'ancien agent diplomatique, vous savez aussi bien que personne, Monsieur, que la forme de réception d'agents diplomatiques se règle suivant la réciprocité. C'est à raison de la minorité du Souverain du Céleste Empire que le cabinet français n'a point insisté pour que les mains de l'Empereur de la Chine, et que sa Majesté Napoléon III recevra directement aujourd'hui vos lettres de créance, bien que la même étiquette n'ait pas suivie jusqu'ici pour les envoyés français à Péking. Je vous prie de vouloir bien transmettre cette observation préjudicielle à votre gouvernement. . . .[1]

The address of the envoy upon delivering his credentials in the Tuileries, January 21, briefly

[1] H. Cordier, "Histoire des relations de la Chine avec les puissances occidentales," I, Paris, 1901, p. 300. M. Cordier insists that Mr. Burlingame was only granted solemn audience with the various sovereigns of Europe because he concealed the conditions of his appointment. This did not transpire, he says, until in reply to a request from the foreign envoys in Peking for an audience in the palace the French chargé received the following from Prince Kung (September 19, 1869): "Before the departure of Burlingame we respectfully asked instructions (from the Emperor) which we received to the following effect: Upon the arrival of Burlingame in a country the credentials which he carries should be confided to the intermediary of the proper ministers, without his needing to insist upon placing them in their own hands. If a country (a sovereign), considering Burlingame as an Occidental, wishes in accordance with the customs of the Occident to treat him with the highest respect, Burlingame should declare beforehand, to the end

explained the object of his mission as "the expression of a sincere desire on the part of China to enter into the family of nations, to submit her questions, as you submit your questions, to the enlightened judgment of mankind, and to avail herself of the privileges while she is called upon to accept the obligations of international law. This desire was the outgrowth of a better appreciation of the civilisation of the West resulting from a considerate policy established and maintained by the representatives of the treaty powers on coming into more immediate relations with great men of the empire at Peking. That policy was the substitution of fair diplomatic action for the caprice of interest and the rude energy of force." [1]

that it may not be supposed in the issue that China does not know how to recognise such proceedings, that the Chinese ceremonial is not the same as that of the West." It is difficult to discover in this communication any basis for the allegation. Mr. Burlingame had no need to explain to European courts the well-known fact that the Chinese Emperor had as yet declined all overtures for audience with the representatives of foreign powers. They received him in the hope that an audience with the first accredited envoy from China might establish a precedent that would be useful when the matter was again argued in Peking, but in being received "as an Occidental" he made no promises, and committed that sovereign to nothing. On Chung-how's arrival in France in November, 1871, on his mission of apology, M. Thiers at first refused to receive him personally, because Mr. Burlingame's audience with the Emperor had not been accepted as a precedent for conceding a similar ceremony to the French minister by the court in Peking, but the point was not pressed.

[1] "Official Papers of the Chinese Legation," p. 47. The reply of the Emperor, which was formal and perfunctory, does not appear to have been preserved.

During a stay of six months in Paris the Mission, though entertained sociably and freely introduced to the varied delights of the gay capital, failed to inspire the French Government with any inclination to negotiate an amendment of its treaty with China. The French attitude upon this matter was not unexpected. No such problems of emigration and commerce as those which stirred American and British subjects in the East concerned the ministers of Louis Napoleon. Their main interest, larger liberties for Catholic missionaries, could be more advantageously furthered through their minister in Peking under the inspiration of the missionaries themselves. The unexpected delay of the Tsung-li Yamên in ratifying his Washington treaty began to embarrass Mr. Burlingame's diplomatic activities by disposing European statesmen to await a report of his indorsement by the Chinese Government before attaching to his Mission the significance it merited.

This delay in receiving a confirmation of his action in America renders it necessary to revert to the situation in China, which was so changing as to cause apprehension. For some unexplained reason a long time seems to have elapsed before the text of the treaty reached Peking. In his first interview at the Tsung-li Yamên, November

18, 1868, Mr. J. Ross Browne reports Prince Kung as explaining that the Mission had been sent first to America because Mr. Burlingame was an American, — not from any political preference, — to which announcement he added, with a trace of humour, that "all the information received so far was, that their time was so much occupied in visiting and sight-seeing that it was impossible to find leisure enough to write official dispatches." A few days later the minister "sees no reason to doubt that these additional articles [to the Tientsin treaty] will be ratified by the Chinese Government; and I feel bound to recognise and carry into effect, as far as practicable, the policy distinctly avowed in the 2d and 8th articles, as well as the general spirit of the treaty. How far this may be reconcilable with the efforts of the British minister to enlarge the scope of foreign intercourse by insisting upon a more liberal interpretation of the British treaty now under revision than has hitherto been given to it by the Chinese Government is a question which opens up the whole subject of foreign policy in this country and the circumstances upon which it was founded." To this Mr. Browne, who was rapidly forming his opinions under the influence of European laymen and their newspapers at the ports, adds the amazing

statement that "the difference between the laws, customs, and religion of China and those of Christian nations is so radical as to preclude intercourse upon equal terms." [1]

For reasons of his own the new American minister appears to have developed a pessimism sharply contrasted with the Burlingame view of the international situation. He came to his post with exaggerated ideas of China's friendly feeling toward his country, and was prepared to look for proofs of that friendship in important concessions to his countrymen. "These anticipations," he confesses sadly, "are without foundation. The Government of China may have preferences; but it has no special regard for any foreign power. The dominant feeling is antipathy and distrust toward all who have come in to disturb the administration of its domestic affairs. But little difference is recognised between one power and another. The concessions obtained by force of arms have been accepted by all." Despite his disappointment, however, he strongly advocated a continuance of the co-operative policy among foreign powers to preserve their harmony of action. "I think it essential to the maintenance of friendly rela-

[1] United States Department of State, "China," vol. 25. Browne to Seward, nos. 4 and 7, November 20 and 25.

tions," he writes, "that there should be a perfect understanding of the difficulties involved in the antagonistic civilisations of the West and this empire. Too sanguine a representation of the intelligence of the Chinese and their ability, statesmanship, and desire to advance has a tendency to create exciting delusions and can only result in disappointment to us and injury to them." [1]

It was not until March 20 that Mr. Browne announced the arrival of the additional articles to the treaty of Tientsin. Then, after a strangely long delay, he encloses, on June 4, Prince Kung's reply of March 12 to his suggestion to proceed with the exchange of ratifications:

> Prince Kung, chief secretary of state, herewith sends a reply: I have had the honour to receive your excellency's dispatch of the 6th inst., wherein you inform me that the Honourable W. H. Seward, on behalf of the United States, and the Honourable Anson Burlingame, Chi Kang and Sun Chia-ku, on the part of China, have negotiated a treaty in eight articles; which the former having made known to the President, it has received his signature and the seal of the United States, and was then forwarded to China; and further, that having been specially appointed commissioner to exchange the ratification of this treaty, your excellency wishes me to report it to the Throne in order that an official of similar

[1] *Ibid.*, Browne to Seward, December 5, 1868.

rank may be appointed and a date fixed for exchanging them with you.

In relation to this matter I have to reply that it seems to be advisable to defer the exchange of these ratifications until the return of the Chinese plenipotentiaries, when the purport of the articles can be fully discussed. His Majesty's rescript can then be obtained, and the exchange made in accordance with your proposition, for there are reasons which make it rather difficult to effect the exchange at this time. I make this statement having reference to the particulars stated in your dispatch, for your information.

The minister's comments upon this communication sufficiently resolve the motives that induced the Chinese Government to postpone action. "I am disinclined," he says, "to infer any slight to our government from this delay, or any want of friendship as shown in the tenor of the new articles, on the part of the Chinese rulers. The absence of both time and place in the text shows that no special importance was attached to this point; and I think the true cause of the delay may be found in the peculiar attitude of the Chinese toward all the treaty powers. Experience has taught the rulers to be cautious how they agree to anything with one nation which may entangle them with the others, or the full bearings of which they cannot clearly comprehend. . . . Under the circumstances I

have not thought it expedient to press an immediate exchange of ratifications. . . . When the Government of China is satisfied that it will not be injurious to its interests to accept these articles it will do so; and that, it seems to me, is all a friendly power could desire." [1]

So far, though Mr. Browne's dispatches show an indifference to pressing the formalities which would render the new treaty operative, they indicate no active hostility to the Burlingame policy. Before the end of the month, however, he wrote to the department two dispatches, revealing a prepossession in favour of the aggressive portion of the foreign community in China, that are remarkable enough to deserve quotation.[2] In these he intimates that those *bêtes noires* of the port merchants, the treaty and Lord Clarendon's letter, will render the continuance of friendly relations with China impracticable; that restrictions on commerce and outrages committed on missionaries will soon call for war; that whatever may be said of the tendency of progressive foreigners in China to seek their own ends irrespective of the rights of others, "I feel entirely confident that they will gain their points in the long run"; and in the end he concludes

[1] *Ibid.*, Browne to Fish, June 4, 1869.

[2] Quoted in Appendix III from United States Department of State, "China," vol. 26, nos. 47 and 51.

that the Chinese Government may well consult its own interests by a more liberal policy toward the merchants, or the latter may get their revenge by assisting in some wild scheme of aggression that might overthrow the dynasty. As to the new treaty, he maintains that the clause enjoining liberty of conscience cannot be enforced because it involves intervention in the domestic affairs of the empire, while that giving naturalised Chinese the privileges of Americans in China would involve the subversion of the Emperor's sovereign authority. Therefore, in his opinion, the United States Government ought to withdraw its assent to such provisions even if the Chinese Government would consent to ratify them. It will be remembered, of course, by any careful reader that the right of naturalisation is expressly withheld from Chinese by Article VI of the treaty.

The causes of this reversal of Mr. Browne's opinions and his insistence in urging a reactionary policy upon his government do not concern us here. It may be guessed that they had something to do with his temperament and with the disappointment of a man unfitted for his work when he discovered how little he could profit either in pay or reputation from the position of a United States minister in Peking. The

man himself need not occupy us, but the effect of his conversion to the side of the recalcitrants, coupled with the gradual increase of a reactionary sentiment against foreigners amongst the Chinese, gravely menaced the work of the Mission. Mr. Browne, upon learning about this time through a press telegram of the appointment of Mr. William Alanson Howard,[1] of Michigan, to Peking, instantly resigned his post and repaired early in July to Shanghai, leaving the legation once more in the hands of Mr. Williams in the following note written shortly before sailing for San Francisco:

SHANGHAI, *July* 20, 1869.

SIR: Deeming the appointment of a new minister to China a disapproval of my course as diplomatic representative of the United States at Peking, I cannot consistently with my sense of propriety, consent to discharge any longer the duties of the position. Differing as I do from my predecessor on some of the most essential points of the policy laid down by him and accepted by the Government of the United States, I feel that my continuance in office, even during the brief period intervening before the arrival of my successor, might embarrass the President in his efforts to carry this policy into effect; I therefore request that you will assume the duties of Chargé d'Affaires from this date. [2]

[1] Afterward Governor of Dakota Territory.

[2] United States Department of State, "China," vol. 26, no. 55.

The action was somewhat precipitate, as Mr. Howard shortly afterward declined the nomination. His appointment seems to have been prompted by the administration's desire to be represented in China by a man of its own choosing, for it had not, thus far at least, intimated disapproval of Mr. Browne's conduct. So sudden a move on the part of a diplomatist was, of course, given its own interpretation by the press both at home and in China, and every effort was made to ascribe it to the Burlingame influence, which was supposed to have obsessed the American Government.[1] While in Shanghai the departing minister annotated with some elaboration a "Note on Chinese Matters," which Mr. Robert Hart had been requested to write on the Burlingame Mission and China's attitude toward foreigners. This document is of such an authoritative nature and so wise in its appreciation of the abounding difficulties involved in

[1] The Shanghai correspondent of the *London Times* reports on July 15 that according to the American papers "Browne is said to be recalled because the President is not pleased with the tone of his official dispatches about the Chinese and the Mission of Mr. Burlingame." This, he complains, "exactly illustrates the difference of opinion which exists between all foreigners in China and their governments at home in regard to this question. The latter have been persuaded by Burlingame. . . . I believe, with most other men who have followed Mr. Burlingame's career, that no one is more astounded at the ready acceptance his views have met than that gentleman himself. . . . But the success of the Mission has surprised as much as it has delighted the Peking cabinet. It has elated them from a condition of passive to one of active objectivity [*sic*]." (*Times*, London, September 7, 1869.)

the closer contact of East and West as to call for quotation *in extensu* in an appendix. The opinions expressed in this temperate statement have nearly all been substantiated in the course of time. Mr. Browne's notes oppugn these ideas and are in striking contrast to his views published on leaving California a few months before. At this time also the American and British merchants of Shanghai took the unusual step of presenting the retiring minister with addresses, thanking him for his "opposition to the shining-cross nonsense" — a point of view upon which (in the opinion of the *Overland China Mail*)[1] "her Majesty's minister, that of the United States, the residents of both those and all other nationalities, the local journals, no matter how differing in other matters, the missionaries, naval and military officers, professional men, and, lastly, the majority employed in the service of the Chinese Government itself, are fully agreed!"

Mr. Browne's reply to these merchants was the ablest paper he wrote in China. In it are contained all the arguments that could be reasonably advanced against a policy of tolerance and patience. While accepting the obvious premise that justice in dealing with China cannot be too highly commended, he insists that

[1] August 5, 1869.

the irreconcilable difference between pagan and Christian nations renders it necessary to interpret justice in terms of the "superior" or Christian states; consequently, "the superior cannot enter upon a course of retrogression to adapt itself to the inferior; and if any relations at all exist, they must exist upon such equitable terms as the stronger may elect to adopt." The existing treaties having extorted from China the conditions upon which foreigners live there, the anomaly is presented of nations holding forcible intercourse with a people, yet professing to respect their prejudices and abstain from interference in the administration of their internal affairs. "I think," he concludes on this point, "our duty is plain. We should do the best that can be done under the circumstances, treat China with forbearance, consideration, and respect due to a power sovereign in its political aspect, but possessing an organisation incompatible with absolute equality. Believing our civilisation to be superior to theirs, we should endeavour to elevate the Chinese to our standard. But, surely, that can never be done by an unqualified acceptance of their claim to the independence enjoyed by Christian states. They do not possess it in point of fact, and there is no wisdom in proceeding upon false premises." From this

he argues that it is not good policy to proclaim solemnly that we will not interfere with the internal affairs of the empire when our very presence is an interference. The Central Government cannot preserve order or check corruption without the introduction of modern improvements. It has not thus far shown signs of wishing to do so, and probably never will of its own accord. On the contrary, "the fact that, since the Imperial Government received the first intelligence of the successful operations of its Embassy it has been more determined than ever to resist all experiment in the line of progress, certainly gives us no encouragement to the hope that any change is contemplated."

Proof of this retrogressive spirit is found in the various disturbances and assaults upon foreigners in China during the preceding year — the effect of which upon the minds of Europeans there, it may be observed, was greater forty years ago than in these days when they are accustomed to them and understand better their complex causes. To Mr. Browne they seemed to be due to a malign government. "It is simply pandering to the bigotry and self-conceit of the Chinese rulers to treat them, under all circumstances and without any reservation, as independent and intelligent beings." His main

objection to the course pursued now under such outrages "is that so good an opportunity was lost of demonstrating beyond question the utter inefficiency of the policy declared both by the Government of the United States and that of Great Britain." After a brief review of the history of intercourse in the past, from which he finds that the Chinese authorities have yielded nothing to forbearance or persuasion, the writer proceeds to relegate the Burlingame Mission to the category of frauds which they have perpetrated upon indulgent foreigners: "In the United States, the sending forth by China of an Embassy to treat with the Western powers was hailed as one of the grandest movements of modern times. Sensible of the importance of encouraging foreign intercourse, China, it was alleged, had now of her own accord abandoned her policy of exclusion and entered upon a career of improvement. She did not wait to be pressed, but took the initiative. All she desired was fair treatment and time to adapt herself to the new order of things. A proposition so reasonable as this, and so accordant with the generous sentiment of the Western world, could not fail to be received with favour. It was what everybody desired, and was considered, in America, as furnishing gratifying evidence, not only of the pro-

gressive spirit of the age, but of our influence in China. The movement, however, was not indigenous; nor does its object yet seem to be thoroughly understood. It is quite clear to my mind that it was not intended by the Chinese as a progressive movement. . . . What the imperial authorities wanted, in reality, was to *arrest* progress, into which they found themselves drifting by the sheer force of circumstances." Nevertheless, after speculating upon the causes which induced the astute mandarins to this venture, Mr. Browne is inclined to expect from it results favourable to the cause of progress, despite their wishes to the contrary. "The Embassy to the West has been received in a manner creditable to the generous spirit of the age. Whatever errors may be committed through misconception of facts or excess of zeal, the cause is one which appeals to the highest sentiments of the Christian world; and truth will ultimately be eliminated. The stubborn logic of results will dissipate all illusions. I look upon the movement, therefore, whatever its design may have been, as abounding in promise for the future. But it is the characteristic of an enthusiastic and progressive race to overleap all obstacles and seize upon the conclusions which they may desire. This, I fear, will meet with

many disheartening checks before the end really desired by the nations of the West is attained. China neither sees her way clear at present to an acceptance of the ameliorations proposed, nor has she, so far as facts warrant us in believing, the slightest desire to substitute foreign systems for those which have answered her purpose through so many successive generations." [1]

The arguments advanced in this dædalian defence of Mr. Browne's attitude opposing the avowed policy of his government in its relations with China do not call for examination here. They rested upon two misconceptions, one of principle, the other of fact, upon which his government was more wisely directed than he. The principle that a "Pagan" state could have no rights which a Christian community was bound to respect, and that, instead of placing intercourse upon a basis of justice and integrity, a profitable trading relationship could only be insured by coercion, was one against which Mr.

[1] "Addresses Presented by the English and American Communities of Shanghai to the Hon. J. Ross Browne, and His Excellency's Reply," Shanghai, 1869. Mr. Browne had occasion after reaching America to repent his rather hasty action in leaving his post. In an "unofficial" note to Secretary Fish, enclosing newspaper clippings upon the subject of his resignation, he writes: "I beg to disclaim any responsibility for the opinions expressed in regard to the appointment by the President of Mr. Howard. Should the President desire me to return to China I will do so; and this is all I have to say on the subject." (United States Department of State, "China," vol. 26.) But by this time the department had received his dispatches of the 23d and 30th of June.

Burlingame had long contended and for which the United States had publicly expressed disapproval. The fact he ignored was an element of almost equal importance; for he treated the Chinese Government as a perfectly co-ordinated unit, and failed to appreciate the existence of two contending factions within it, one of which was endeavouring against great odds to bring the other to realise the imperative necessity of reform and a friendly acceptance of the assistance offered by Western powers to acquaint them with methods that might lead to their rehabilitation as a powerful nation. To bully the government was merely to render this enlightened minority helpless, and throw the entire control of Chinese policy into the hands of the reactionary majority. The retiring minister read into the acts of the Chinese officials his own interpretation based upon a few months' residence in China. He was ignorant of her institutions and of conditions which varied with every section of the interior. So indeed, it may be granted, were most foreigners at that time; but the difference between the stand-point of a Burlingame and a Browne was fundamental: While each was misled in some particulars, that of the constructive idealist was based upon principles of humanity and equity, that of his de-

structive critic upon the alleged ethical superiority of dominant and material force.

Mr. Browne's attitude toward the Chinese Government during his residence in Peking had been that of an ordained mentor doing his best to urge the authorities into the path of progress and intimating to them the dangers that lay in any other course. In the endeavour to assist the British negotiations he wrote Prince Kung a dispatch[1] reminding his Imperial Highness that now was the appointed time for China to meet the wishes of the world: "It is earnestly to be hoped that the Government of China will not permit so favourable an opportunity to pass without placing upon record a substantial guarantee of its disposition to make a forward movement. Future misunderstanding may be prevented by a distinct declaration of policy at this time." And, in conclusion, this schoolmaster abroad among the heathen declares it to be his conviction that "steam on the navigable waters, the proper working of coal-mines, residence and all the rights of trade in the interior, and the gradual establishment of telegraphs and railroad systems are essential measures of modern intercourse, and that some earnest of

[1] Browne to Prince Kung, November 23, 1868. Reprinted in the "Addresses" quoted above, and in "United States Foreign Relations," 1870, p. 316.

beginning, without unnecessary delay, would avert much future misunderstanding."

The Tsung-li Yamên had, as already noted, no intention of contravening its envoy abroad, but after this exhibition of eagerness on the part of his successor in the American legation, it would not have been strange if Prince Kung had taken fright at the prospect of Yankee hectoring and declined to accept the new treaty. An editorial in the *New York Tribune*, in Horace Greeley's characteristic style, supplies the spice of epithet that seems due to this diplomatic essay: "Mr. Ross Browne's significant intimation to Prince Kung, that if he really had any good liberal reforms in course of preparation he had better trot them out quickly lest worse should come of it, was not a happy mode of inspiring a timid, jealous, exclusive, and often-deceived nation with confidence in the objects and the good faith of the American Government. Still more unfortunate was the reply to the addresses of the English and American merchants at Shanghai. If there is any class of evil counsellors whom an American or an English minister in China ought especially to avoid, it is that cluster and colony of British traders who have squatted in the open ports of China. If there is any policy which a representative of the

United States ought to reject alike from instinct and conviction, it is the policy which these men invariably recommend. It would be impossible to exaggerate the evils which have sprung from the influence of this class of persons over the Chinese policy of England. They are essentially narrow-minded, selfish, and grasping; for them the whole *raison d'être* of China and its vast population is limited to the advancement of the trade they desire to push. Too often and too long did English statesmen give way to the audacious importunity of men of whom, as Burke said of a class not dissimilar, that 'their ledger's their Bible, their desk their altar, their counting-house their temple, and their money their God.' Of late English ministers have come into power who will not lend the arms or the money of England to force the principles and the trade of this class of persons down the throats of the Chinese people; and it may be out of sheer despair of any assistance or countenance from their own government that the British merchants recently sought consolation and support from the American minister. Mr. Ross Browne unluckily threw himself into the spirit of the thing. He laid down a doctrine of which charity compels us to suppose that he did not clearly understand the meaning. He

proclaimed the principle that Christian states are not bound to respect the independence of pagan states, and that civilised people are justified, by virtue of their civilisation, in insisting on any alteration they please to ask in the domestic policy of states less civilised."

Public opinion in England, as represented by *The Times*, showed no disposition to wince at Mr. Browne's denouncement of the Clarendon policy. A leader in that journal[1] dismisses good-naturedly and a little contemptuously that gentleman's thesis, that equality in the intercourse between China and the West was impossible, as his private sentiments uttered with the frankness of an American citizen. Personal opinions on such a matter, so long as one is not spokesman for a government, carry no weight but their own reasonableness. "It is hard to follow (continues that paper) the reasoning by which he seems to have persuaded himself that a desire on the part of Prince Kung's government to establish direct and equal relations with the powers which exercise so material an influence over its fortunes can indicate an aversion in China from progress. We ourselves believe that a policy of equality is for the honour and interests of China and the West alike. We are as convinced as Mr. Browne

[1] September 2, 1869.

can be of the danger to peace itself of anything like a yielding attitude in the Western powers; but we are at a loss to conceive how to impose on the government of a country the responsibility of making good its engagements, instead of taking on ourselves the burden of forcing its subjects to respect our treaty rights, can be confounded with want of spirit and resolution." So far as assurance of British support of the Mission was concerned the leader leaves nothing to be desired. Rumours of the refusal of China to ratify its treaty were authoritatively denied. Such a refusal would have been a calamity, whether the repudiated treaty had been with Great Britain or the United States; for, "it does not matter what the particular power is for whose immediate advantage Mr. Burlingame may be at the moment negotiating; the negotiation has in any case the same general effect of bringing the Chinese Empire out of its isolation. The great point is that the Chinese Empire should recognise its capability for being, as it were, impersonated in a Mission, and thus represented at foreign courts and bound by agreements concluded by its representatives in its own name."

The *succès d'estime* of the Mission abroad had indeed encouraged the reactionary element in

China to renewed exertions. There was truth in the allegation that the favourable impression it created in Europe had encouraged the conservatives to adopt that very retrograde policy which it had been one of the primary objects of the undertaking to deny before all the world. Circumscribed as it was by custom and tradition, the government was compelled to yield something to a mutinous opposition and refrain from advising the Empresses to ratify the Burlingame treaty promptly, or concede any important favours to Sir Rutherford Alcock's negotiation. It was, however, a reaction which might be esteemed as actually wholesome for China, in showing foreigners how far her educated men were from accepting the premises upon which the too eager advocates of progress based their arguments. For China, in the words of a British consul, "was by no means ripe for an instantaneous reception throughout her entire territory of the highly advanced civilisation to which we and other Western peoples have become accustomed. There is abundant material to work upon, and that of the most plastic character, only it needs to be approached with caution and worked with discretion." [1]

The author of the introductory remarks pref-

[1] Medhurst, "The Foreigner in Far Cathay," p. 184.

aced to a little work entitled "The Tientsin Massacre, being Documents Published in the *Shanghai Evening Courier*" (probably by the editor of the newspaper), has this to say of the part played by the Embassy in exciting the mind of China during its progress through Europe: "This uneasiness and hostility were stimulated too by the knowledge that, about the end of 1868, the foreigners were entitled to claim a revision of the treaty, and were almost certain to demand concessions which would greatly extend their influence. The grand expedient by which, under foreign advice, they sought to ward off this new danger — while to well-intentioned theorists and persons of sanguine temperament it seemed admirably fitted to break down the wall of separation between China and other nations — was so conducted as to make her more haughty and exclusive than ever. For when Mr. Burlingame went forth on his Mission to foreign nations, to depreciate any quickening on their part of the speed at which China was prepared to accept extended intercourse with foreigners, he bore with him a commission and was attended by associates of a character which clearly showed to those who knew the Chinese that his Mission was an embodiment of the central error of Chinese policy

— the idea, namely, that China is the one sovereignty of the world, and that all foreign nations are her feudal dependents. And when foreign governments, ignorant of such mischievous pretensions (though well warned of their practical tendency), received the Chinese Embassy with cordiality and responded to its pleas for time and forbearance by engagements and promises that indefinitely postponed foreign improvements, the Chinese government regarded this, or professed to regard it, as an acknowledgment on the part of the outside nations of the deference it became them to show to the Middle Kingdom. Such ideas being carefully disseminated throughout China by the literati, a class much reverenced by the people, and directly interested in the perpetuation of existing misgovernment, it was not unnatural, however strange and unreasonable it might appear, that while Mr. Burlingame was drawing pictures as fair as they were false of China's rapid progress in all that constitutes national improvement, the misconceptions to which his friendly reception in Europe and America gave rise among the Chinese became the fruitful cause of many deplorable acts, which show how utterly false and misleading the Burlingame Mission was, both in its design and in its execution."

The fact that the literati throughout China had become imbued with the idea that there was no further need for concessions to the foreigners cannot justly be attributed to Mr. Burlingame's "heated imagination." Their attitude was not in the least altered from that inexorable hostility which had actuated the class ever since the Opium War, and now that the fear of a new invasion appeared to be less instant than many of them had imagined, they naturally renewed their old hopes of expelling the hated intruders. The methods employed toward effecting their end were those of Asiatics, differing in kind from those to which Western peoples are accustomed to resort under the influence of emotion, but an omniscient being alone could decide whether they were more deplorable than those familiar to the Western world, like the pogrom in Russia or lynching in the United States. The literary class, with the honest if vain ambition of saving their country from the subversive influence of aliens, worked upon the superstitious populace with means which they well knew would be effective — tales of witchcraft and abominable slanders — until a mob was aroused to the pitch of massacre.[1] In

[1] The Shanghai Chamber of Commerce calls attention (November, 1870) to a famous libel, entitled "A Death-Blow to Corrupt Doctrines," which first appeared, probably, in 1868. "Its object is to associate the

the democracy of China the Autocrat at Peking was practically helpless to prevent such machinations or forestall such uprisings so long as they were inspired by that respected element of the population from which all its officials were drawn. What was called a reaction in China was, then, the inevitable resurgence of a whole people under the guidance of their natural leaders who writhed under a tutelage of outsiders that not only disturbed their social and economic life, but seemed to these patriots to challenge their dearest beliefs and even threaten their political existence. Further coercion from abroad merely tended to make the situation worse, while the hope of modifying the ancient constitution of China by pressure at the centre, so as to substitute a truly centralised administration for the practical autonomy of the provinces, was to ignore the resistance to innovations that is bound to go with a body-politic of such antiquity. A new generation of Chinese must be educated to an ap-

name of foreigners with the most revolting practices. Though a production of almost inconceivable obscenity and falsehood, it furnishes an instructive picture of two classes of people with whom we have to deal. The unscrupulous animosity of the anti-foreign official party is there clearly exhibited, and the ignorance and superstition of the people for whom the book is intended is made equally plain. While efforts like these are being made to poison the minds of the populace in regard to foreigners, and to stimulate them to such outrages as that at Tientsin, it is self-evident that the only wise or safe, or even humane, policy for foreign governments is one of such uncompromising firmness as shall discourage the hostile factions from prosecuting their schemes."

preciation of the possibilities of a reconstructed China, no longer a hermit nation, but participating in the intercourse of the world. Yet such a solution was, and still is, hard to attend, and the natives of that empire have been compelled to pay far more dearly than the foreigners for obstinate faith in their own convictions.

News of these affairs reached the Mission in Europe slowly and through the ordinary channels. The Tsung-li Yamên, whether from inexperience or by design, wrote hardly at all;[1] it continued as it had begun by allowing its ambassador complete liberty of action, and forwarded no instructions or complaints based upon rumours. Its members were perturbed by some of these, and affronted at the opprobrium poured by foreign news-sheets upon their sincere effort to meet the wishes of Western powers in sending a representative to their courts. But, though disposed, after the manner of Oriental diplomacy, to await events and commit their government by no overt act, they remained loyal to their envoy. The following dispatch from Mr. Williams to Secretary Fish, so far unnoticed and unprinted, reveals the motives for

[1] Mr. Burlingame was, however, able to inform Secretary Fish by the 31st August that he had received a dispatch from the Chinese Government expressing strongly their satisfaction with, and acceptance of, the treaty negotiated at Washington. ("United States Foreign Relations," 1870, p. 307.)

the Yamên's procrastination which at the time puzzled the acutest observers:

PEKING, *October* 1, 1869.

At a recent interview with the members of the Foreign Office I inquired of them when it was probable that the Imperial Government would exchange the ratifications of the treaty negotiated by its envoys in Washington. . . . Wănsiang, who was present, replied that the government had deemed it best to defer exchanging the ratifications of the treaty until the return of their envoys from Europe, and that this was the purport of the reply made to Mr. Browne last spring, when he informed them of his appointment as special commissioner for the purpose. It was yet uncertain what arrangements Mr. Burlingame might make in Europe with the courts which he was to visit, and until they knew this they deemed it the safest way to defer the completion of this treaty. There was no intention on their part of any disrespect or slight to the United States in so doing, and no intention to decline the stipulations of a treaty which was favourable to them.

He then went on to inquire how it was that the report had been circulated so widely that the Emperor had refused to ratify this treaty, thereby casting a great reproach upon his government. Several persons in Peking had inquired of him whether this was true, but had adduced no one's name as their authority for the statement, and he had also seen the same assertion in the newspapers. Such unfounded statements tended very much to excite suspicions and disturb the friendly relations between governments, and he asked whether there was no

punishment for the wrong-doers, or any way of checking such marplots.

I told him that I had never heard Mr. Browne make any such remark, nor had he written to that effect to his government, but what he might have said after he left Peking, and what others had inferred from it and published about the matter, I could not say. I myself had seen no good reason for doubting the good intentions of his Majesty's Government in the matter, and had so maintained before others. Still more impossible was it to restrain newspapers from publishing what their editors liked, and in America and England it was found to be the best way to let them all write what they please, and the truth would finally be known. . . . He and Tung Siun, who was sitting near, both seemed to think that they had been somehow misrepresented by Mr. Browne, and sent for the copy of Prince Kung's letter of March 12 to prove that he had given no ground to the rumour, and had said nothing subsequently to support it, in which I concurred.

They then went on to inquire what I thought of Mr. Burlingame's course abroad, and why it was that the newspapers so universally condemned him; for, so far as they knew, Mr. Burlingame had done nothing contrary to the purposes of his Mission. I endeavoured to explain the disappointment which many persons in Western lands had experienced after hearing the glowing accounts of their envoy to learn that the mass of Chinese officials and people were not so well informed upon the advantages to be derived from foreign intercourse as their superiors in Peking, whom alone of all Chinese officers he had known here; and that the ignorance of China among people abroad led many to draw inferences from Mr.

Burlingame's sanguine statements that were quite too favourable. A better acquaintance of each party with the other was now most desirable, and would remove suspicions better than any other course.

I endeavoured to remove his dissatisfaction by again referring to the reports of newspapers as untrustworthy in evidence of the views or acts of governments; but the impression evidently made on him by what he had learned from those which had been translated for him was a bitter one. He had evidently built up hopes upon the results of this costly business which were not likely to be realised, vague hopes, they may have been, but not altogether unfounded, of putting China in amicable relations with other nations. He said that full justice would have been done at the time of the disturbances near Swatow and in Formosa without the intervention of gunboats, if those officers had not been so precipitate; but I think that he rather deceived himself here, for he has never visited those parts of the empire, and has probably only imperfect and distorted reports of the facts in both cases. . . .

Coming as it does after the discussion respecting the Austrian treaty, this conversation shows that the foreign relations of the government are more and more engrossing the thoughts of its highest statesmen, who are endeavouring to learn the intentions of other powers, and do what they can to preserve their own position. They feel the influence of the age, but their early isolated education and contracted experience painfully show their effects in now preventing them from fully appreciating their rapidly altering position in the present times. They seem to be afraid to trust themselves to any new course, but still show no desire to retrace what they

have done. They intend to give such efficiency to the new college that it can gradually furnish them with their own interpreters and even higher functionaries. Even now they obtain through this channel translations of many articles in the newspapers at Shanghai and Hongkong, among which are the addresses to Mr. Browne and his recent letter, with other criticisms on their policy and position. All these things must have their effect in gradually opening up new vistas to them.[1]

Mr. Burlingame had, however, his own reasons for concern, and after their reluctance to expedite the completion of his treaty by an exchange of ratifications became manifest, he dispatched Mr. McLeavy Brown from Paris to explain to the Tsung-li Yamên the urgency of the adventure and to solicit action. The necessity was really very great. So eager had the enemies of the Mission become that, after exploiting all in its disparagement that could be squeezed from tales of its equivocal credentials, of Mr. Burlingame's prevarications, of China's refusal to accept the treaty, and others of the sort, they proclaimed Mr. Brown's return to China to be a recall to his former duties by his government and, consequently, England's determination to cast loose from her participation in a discredited Embassy. The errand was satisfactorily exe-

[1] United States Department of State, "China," vol. 28, no. 65.

cuted. Mr. Brown was soon able to convince the ministers of the hurtful effects of further procrastination, and the treaty received the seal of the Emperor on November 20.[1] Mr. Williams as Chargé d'Affaires was obliged to take upon himself the responsibility of officiating as commissioner for the United States without official appointment, under circumstances explained in his dispatch to the Department of State.

PEKING, *November* 24, 1869.

. . . I have now the honour to inform you that the Emperor has ratified the eight Additional Articles, having affixed his seal to them on the 20th inst. He also issued a commission on that day appointing Tung Siun, one of the chief members of the Foreign Office, to be his imperial commissioner for the purpose of exchanging the ratifications, which was yesterday accomplished with all due formality. . . .

In proceeding to complete the exchange of these ratifications, I can not doubt that I have done what you would have had me do. There were some special reasons for effecting it now, which seemed to override all the objections that I might adduce for delay because I had no commission from the President for this specific purpose. One of these was, that the bad effects of the rumours widely circulated and believed in the south of China and abroad, that the Imperial Government had definitely refused to accept these articles, would thus be wholly neutralised, and the credit of the Chinese Embassy upheld. These

[1] The exchange of ratifications was effected on November 23.

rumours had already led to various unjust inferences as to the motives of the ruling statesmen in Peking for their delay, and had consequently strengthened the idea that they were tired of their Embassy, and regretted the expenses it had entailed on them.

Another reason had reference to the importance of the ratified treaty reaching you before the rising of Congress, and the closing of navigation in the Peiho was too near at hand to admit of delay if this copy was to be sent to Washington this winter. The personal explanations of Mr. Brown the secretary of the Chinese Embassy, who showed the officials the injury they were doing their cause by this delay, were successful in changing their minds; and after he had thus brought about a result which all my efforts had failed to do, it certainly was hardly proper to refuse to meet their proposals to exchange the ratifications in consequence of an informality arising from the departure of the late United States minister at Peking. . .

I have confided this copy to the care of Mr. J. McLeavy Brown, who returns to his post in the Embassy by way of Washington, and will deliver it to you.[1]

[1] Williams to Fish. *Ibid.*, vol. 28, no. 69.

THE END OF THE MISSION

THE Mission concluded its long stay in Paris in September and visited the capitals of northern Europe, where it was received with due cordiality in turn by the sovereigns of Sweden, Denmark, and the Netherlands. Their Majesties, in replying to the credential letter of the Chinese Emperor, each expressed appreciation of his desire to maintain and cement the good relations between their states and complimented him upon the character of his envoys. The minister of foreign affairs in The Hague entertained the hope that this distinguished Mission might impress the members of the States-General sufficiently to enable him to carry out his plan for establishing a legation in Peking, but he was unsuccessful.[1]

In anticipation of the arrival of the Mission in Berlin, Mr. Hamilton Fish, the new secretary of state, had acquainted the United States minister there with the views of President Grant's administration as to American policy in China. There had been no change in this respect, indeed, since the Mission left America, but some uncer-

[1] H. Cordier, "Relations de la Chine," I, p. 301.

tainty had naturally been occasioned by reports of Mr. Ross Browne's speeches. It was a fortunate accident that the American minister to Prussia was an old friend of Mr. Burlingame's, the historian George Bancroft, whose personal conviction added sincerity to the carrying out of his instructions from the department. No serious obstacles, however, presented themselves in this instance. The Prussian Government, after its successful struggle with Austria, and already intent upon fulfilling its national destiny in the conflict which was soon to come with France, desired to act in harmony with Great Britain and America in matters outside of Europe. But the dispatch of Mr. Fish is a document of such importance in setting forth the spirit which still animated American purposes in China that attention should be paid to it before following the exchange of notes between Count Bismarck and Mr. Burlingame. Though not given the same publicity as the Clarendon letter of the preceding year, this summary of the sentiments of the United States toward China was made known to all the chancelleries of Europe, and assured their governments that America remained unmoved either by reports of Chinese recalcitrancy or by solicitude as to race invasion.

This recapitulation of principles established by the so-called Burlingame treaty bears evidence of being the work of the secretary himself.[1] In it he maintained his predecessor's policy, which was consistently preserved during his eight years' tenure of this office under President Grant, and thus in some measure established as one of the political traditions of the Republican party. Chief among the tenets underlying the eight additional articles of July, 1868, is the recognition of the Chinese Emperor's sovereign authority over his people and their political relations with the subjects of other countries. Though treaties had been concluded between China and Christian powers before this compact, it was scarcely an exaggeration to call them stipulations of force rather than of amity. Under such terms China's political integrity had been preserved less by intention than by the rivalries of different nationalities, while their sense of sore constraint had left the ruling minds of the empire as alien as ever toward the civilisation of the West. So far from bringing the old accusation of aloofness against China, he freely accuses the European policy there of being one of isolation, "inasmuch as it only sought the development of a foreign trade at

[1] The document is reprinted in Appendix IV.

certain ports, and of disintegration, as it practically ignored the Central Government, and made war upon the provinces to redress its grievances and to enforce its demands." Diplomatic representatives had now been nearly ten years in Peking, but their residence at the capital had brought them into contact with only a few of the highest officials, and social intercourse between natives and foreigners had not been measurably increased by a concession wrung from China by a war. Dread of the conquering white men and of the economic dangers to be expected from the introduction of their manufactured goods and labour-saving devices was still a dominant factor in controlling the policy of the empire.

Mr. Burlingame's treaty was called, in contrast to the policies and attitudes thus summarised, "a long step in another direction." The secretary's assertion that "it came voluntarily from China," coupled with his allusion to the reports from Peking that she had refused to ratify it, has something of the unconscious humour of the old-time anecdote of the recruiting sergeant who, when asked where the volunteers were, replied firmly that he had them locked up in the barn where they couldn't escape. Nevertheless, his contention was valid theoret-

ically, and the United States Government was rightly determined to hold to its postulate that the empire had voluntarily assumed the rights together with the responsibilities of an independent power, while he awaited in patience a fuller understanding of the real meaning of this new position by the ignorant literati. The treaty, while necessarily confirming rights which foreigners in China must still claim in order to insure the safety of their nationals and property, acknowledged a principle that was of too great importance to her to surrender when once understood. The President, therefore, had not pressed for a ratification because he was confident that her statesmen would inevitably see the propriety of authorising the acceptance of terms so greatly to their own advantage. The event, it may here be added, abundantly justified this expectation, as it did also the exercise of a wise patience in refusing to extort consent from them by untoward pressure.

As to the apprehensions expressed by some foreigners lest the concluding article of the treaty might put an end to the co-operative policy, the secretary declares that so far as that policy was aggressive and conspired to thrust upon China what could not be enforced among civilised nations anywhere else, the article might well

prevent the United States from sharing in a partnership of robber states. The point had already become one of some importance because the most-favoured-nation clause of the old treaty made America a participant in any advantages to be derived from the Alcock negotiations. Sir Rutherford's demands in moving for a revision are rather significantly described as being "made in strong language, as necessary to the proper enjoyment of the rights conceded by the treaty of 1858, and the Chinese Government was warned in advance of the probable course Great Britain would pursue in case of refusal." Mr. Ross Browne's sympathy and co-operation with the British minister throughout the negotiation are noted, but Prince Kung's reply to Alcock's peremptory demands is characterised as "dignified and moderate." The secretary refers with satisfaction to the decision of the British Government, lately communicated to the department through their minister in Washington, to accept such concessions as China was willing to offer at that time and wait quietly the operation of the causes which are working in the Chinese mind. "Such a course strikes me as wiser than the more vigorous policy which Sir Rutherford Alcock seems to have contemplated. The points gained may not be as important as could be de-

sired, yet they have been gained peaceably, by negotiation, and are yielded by China as a right flowing legitimately and necessarily from former treaties."

Convinced from the tone of the correspondence thus reviewed that Prince Kung and his associates were acting in good faith, being desirous to extend commercial relations with Western powers so far as they could without prejudice to their own position, he concludes that "every consideration, from whatever point of view, leads me to believe that it is neither wise nor just to force the Emperor's advisers into a position of hostility so long as we have cause to think that they are willing to accept the present situation, and to march forward, although with the prudence taught them by a Chinese education." Mr. Burlingame was to be told that, while the President cordially adhered to the principles of the new treaty and desired its speedy ratification, he also hoped that the Chinese statesmen might see their way clear to granting some concessions similar to those asked for by Sir Rutherford and Mr. Browne. He did not, however, assume to advise them or judge whether the temper of the people of China would justify their rulers in doing so at any given time. Mr. Burlingame and his associates

could certainly be trusted to impress upon their chiefs at home the truth that most of the evils they apprehended from the adoption of mechanical devices turned, when once accepted, into blessings to all who used them.

This was the answer of President Grant's administration to the philosophic question raised by Mr. Browne as to "how far civilisation has a right to go in imposing its principles and agencies on nations supposed to be less favoured than others." Western ideas might be presented to Orientals and their influence exerted for good and evil wherever Europeans penetrated into exotic lands; but those ideas could not be forced upon them without incalculable dangers. Whatever might be advanced against the propaganda of Mr. Burlingame — and there were some arguments which made sincere doubters — its practical indorsement lay in the fact that there was no safe alternative short of war and disruption.

This was also the conviction of Mr. Gladstone's government, which was by this time in possession of the text of Sir Rutherford's convention, concluded in the preceding October[1] and now being mercilessly criticised by the commercial

[1] Received December 27, 1869, and presented to Parliament in the Blue Book "China, no. 1 (1870)." The memorials and objections of the various chambers of commerce are printed in the Blue Books on China, numbered 4, 6, 8, 10, and 11 of the same year, many of them diverting reading.

bodies of Great Britain directly interested in the China trade. Their point of view is perfectly intelligible, but the government's vision was broad enough to take into account the remoter consequences of pushing the interests of Europeans to extremes. What Mr. Burlingame contended for had become the avowed policy of Great Britain as well as the United States; it finds expression in a *Times* leader, printed about the date of his arrival in Berlin, a part of which needs to be quoted here in order to show the really amazing progress a year of his influence had made in converting public opinion in England from the tradesmen's attitude to a higher kind of statesmanship.

> We could if we pleased go to Peking again tomorrow, and it is certain that a British gunboat can give the law to a Chinese governor. But upon the prodigious mass of the empire we can make little impression, and apart from all questions of justice and right, we incur both risk and expense in venturing on high-handed dealings. Bradford thinks the expense and risk would be well incurred for the purpose in view, but this is the very point at issue. What is now asked is not by any means a trifle in Chinese eyes. Only the other day we were rigorously confined to certain patches of territory. From these shore factories we have gradually wormed our way into the interior, until we trade without hinderance many hundred miles from the coast. It is now proposed that we should penetrate to the uttermost

frontiers of the empire by steam or rail, and nobody can doubt that if we did so the Chinese as well as ourselves would be gainers. But the Imperial Government may regard this proposal from another point of view; and even if the court of Peking should give its assent it is certain that the local authorities would be suspicious or hostile. . . . It is alleged on one side that we are defrauded of our due; on the other that we are grasping and intrusive, careless of national susceptibilities, and bent only upon our own advancement. . . . It appears to us that we should, in the long run, do more by patience and forbearance than by force and pressure. Sooner or later Chinamen will find out their advantage in the market we offer, and they will be as anxious to buy as we to sell. It may be very true that we should find them so at this moment if the course were clear, but in point of fact the course is not clear, and we might be only spoiling our own game by dealing too rudely with the obstacles in the way.[1]

Enough, perhaps, has already been said of the antagonism aroused by the success of the Mission in Europe. Its purpose was, after all, a modest one — to request forbearance on the part of the great nations of the West. It was a simple matter for the governments of these nations to accede to such a request when satisfied of the co-operation of the others and of the consent of their subjects who had invested in the trade. France, the German Confederation, and Russia, having little commerce at stake, were

[1] Leader in the *London Times*, December 2, 1869.

now convinced on the first point and therefore willing to subscribe; but the greatest credit is due to Lord Clarendon that he held his country consistently to the same purpose in despite of an opposition from British industrial communities that might have frightened a statesman of more plastic convictions. A discussion of the character of this opposition by the most brilliant of the younger politicians of England, the author of "Greater Britain," may properly conclude what had already been said about the advocates of a policy of arrogance and pugnacity:[1]

> Just as America was beforehand with us in giving official expression to her feeling in favour of a juster policy, so North Germany, France, and Russia have united in indorsing the action of Great Britain. It would be reasonable, then, to expect that the advocates of fair dealing by the stronger toward the weaker peoples should now be willing to let well alone, and to listen with indifference to the murmurs of Shanghai and Hongkong. . . .
>
> As there is just now a disposition in some quarters to represent the English community in China as consisting wholly of inoffensive and injured people, it may not be out of place to set before your readers a few specimens of their recent utterances. At a dinner lately given to Sir Henry Keppel at Hongkong, and at which the whole of the leading merchants and officials seem to have been present, Colonel Knox Gore responded for the army. One of the China papers thus reports his speech: "As

[1] Letter from Sir Charles Dilke to *The Times*, January 4, 1870.

regarded China, he contended that the Chinese were an inferior nation. (Loud cheers.) He objected strongly to the tampering policy followed by the present economical government, and styled it a most pernicious policy, and a policy which would not have been tolerated for a moment two hundred years ago." One of the chief doctrines enunciated by Lord Clarendon was that British officials should not make war upon their own account, except in cases where English lives or property were immediately exposed; and one of the hardships of which the Hongkong and Shanghai communities complain is that gentlemen holding the opinions of Colonel Knox Gore should not be permitted to attack the Chinese whenever they think fit. . . . The *Overland China Mail* of the 19th October last speaks thus: "Let us say to China, this must be done because we choose. There is no other way of appealing to the nation. What can avail but threats? We may be thankful that just at this moment the hollowness of their pretended desire for progress has become apparent. Should another war, as is most probable, occur, the peacemongers will no longer be able to weep over the injuries inflicted upon a meek and progress-loving people."

The *Supreme Court and Consular Gazette* of October 16, in an annexation leader: "It cannot be doubted that if two or three foreign commissioners were sent into each province, with power first to collect revenue and prevent its present misappropriation, and secondly to apply that revenue to the development of the mineral and agricultural resources, to the improvement of means of communication and the enhancement of the value of the staple productions, no opposition would be expected from the people at

large. For some time there would be a conservative class, some members of which should be summarily dealt with, while others would learn that under the new régime the fairest field would be open to the most marked intelligence."

The experience of the year would seem to prove that there is no amount of progress which may not be hoped for, provided that the temperate policy of Lord Clarendon and Lord Stanley be not exchanged for one of threats and force at the dictation of the China press.

The correspondence which summarises the conversations of January, 1870, between Mr. Burlingame and Count Bismarck involves an issue already fairly determined in the minds of the writers. King William's cordial reception of the Mission upon its arrival in Berlin, and the entertainments to which its members were invited during the holiday season, indicated the attitude of the famous chancellor who guided the policy of his sovereign. Mr. Burlingame was able to assure him that the ministers of Napoleon III had personally declared their approval of his main doctrine, though prevented by priestly influences from putting any terms upon paper. He could also refer to the *volte face* in England's policy under the Gladstone ministry, and to the concessions obtained by Sir Rutherford Alcock after "the Chinese Government had fully comprehended the treaty made

with the United States, and the full effect of the action of the British Government against the aggressive spirit of its subjects in China." It was not the desire of the Chinese Government, Mr. Burlingame declared, to make new treaties but to obtain from the various European powers "such forbearance in their execution as shall be compatible with the independence of China and the true interests of civilisation." This, in the simplest terms, was the message which China committed to him as her envoy to the West. If the conclusion of a new treaty with the United States seemed inconsistent with the expression of China's desire to limit this diplomatic essay to an endeavour to secure a fair execution of old ones, the necessity for this exceptional procedure arose from the treatment of Chinese in California. "It was this latter consideration which led to the adoption of the more solemn form of a treaty in the United States. A treaty, being the supreme law of the land, overrides the obnoxious local legislation against the Chinese immigrants." Upon the question of how China should be treated by the great powers, there were indeed two opinions, one maintaining that "as the treaties had their origin in force, pressure must be continued in their support, and that any relaxation in this system would be

fatal to progress. The other party holds that this system is neither wise nor safe; that while it may be convenient for the moment, in the end it must be destructive of the interests of its promoters; that it is inconsistent with the true sovereignty of China and with that international law which does not measure the rights of nations by their power to resist or by the interests of those who do not belong to these nations; that it weakens and degrades the Central Government of China by dealing with the local authorities, and submits the great question of war to the caprice of those whose interest it is to make it."

Thus far, he was able to assure the chancellor, all the courts he had visited had given him gratifying assurances as to their opinion upon the justice of the latter view, while China herself had, during his absence, made concessions to Great Britain which were "a sufficient answer to those who but recently declared that China would avail itself of the action of Western powers in its favour to restrict rather than enlarge the privilege of foreigners." "I will not," he concludes, "after the generous expressions of yesterday, inquire further as to the views of your excellency. I hasten, in the name of China, to thank you for them, and to request

that you will, in response to this, place them upon record, to the end that their declaration may give still greater confidence to China, and an additional incentive to further progress on its part." [1]

As he advanced in his conduct of his Mission from one country to another and was compelled to face new questions and new responsibilities, Mr. Burlingame showed clearly that behind his rhetorical propensity rested a broad judgment and strength of character worthy of great occasions and able to inspire respect on both sides of the globe. It is noteworthy that in his interviews with the most astute diplomatists of Europe — and he met all of those who were of the first rank — this man, who was hounded and ridiculed by the opponents of his purpose as a mere master of rodomontade, should have impressed them with the sanity of his reasoning. The governments of Europe were willing, it is true, to join in some concerted action so that they might be saved from the danger to themselves of China's becoming another "sick man" of Asia, but the policy of drift into which they were passing, because no one made it his business to define the situation and protect her

[1] "Papers of the Chinese Legation," a pamphlet containing the documents relating to and received by the Mission up to the conclusion of its visit to Berlin, where it was printed in January, 1870.

from the assaults of aggressive commercialism, involved grave risks to the peace of the world. Mr. Burlingame's claim to the title of peacemaker is justified in that he did make this matter his business. It was in this capacity that he received welcome and encouragement from those statesmen who saw in the Far East something more than a region to be ransacked and exploited as a derelict among nations. He could easily win their consent to the equity of his proposal; the difficulty of his task lay not so much in persuading them of its desirability as in convincing them that it could be carried out. He succeeded, as the unselfish idealist always succeeds, by touching the conscience and quickening the sense of magnanimity in every man with whom he talked. We may imagine, if we please, the passing twinge on Bismarck's face as he recalled Denmark six years before, when Mr. Burlingame reminded him of that code of international consideration "which does not measure the rights of nations by their power to resist, or by the interests of those who do not belong to these nations"; but whatever his private reflections, the grim chancellor subscribed to this platonic doctrine, partly because it suited his ulterior purpose, and partly, also, because, like Festus, he was for a moment inspired by the spirit of his interlocutor. His

reply (January 16) to Mr. Burlingame's communication, after declaring his willingness to reiterate in substance and place on record what he had said, continues:

It is a matter of great satisfaction to me that I should have received the first diplomatic communication from the Chinese Government to this country; and I trust that the intercourse thus established in accordance with the law of nations will prove equally beneficial for both parties. The reception you have met with here, and of which you and the other members of the Embassy have been pleased to convey to me so warm an acknowledgment, testifies the sympathy of the German people with China, and its desire to cultivate with her the most friendly relations. I am happy to add that the North German Confederation and his Majesty the King, my most gracious sovereign, being the head of the same, will not cease to observe a policy concurring with that popular disposition. They are convinced that, in the intercourse of our respective countries, the interest of Germany will best be served by what is conducive and necessary to the well-being of China — that is to say, the activity of a Central Government enjoying respect, authority, and power commensurate to the magnitude of the empire, both in territorial extent and number of population.

By maintaining order and security of life and property throughout the realm, such a government will afford the best guarantee for fair and equitable dealings on the part of the servants and subjects of the Emperor, the most efficacious and universal protection to our countrymen resorting or trading to

China, the safest way to secure the execution of treaties and to obtain redress of grievances.

When unharassed by internal dissensions and foreign conflicts, the government would naturally concentrate its energies upon the further development of the boundless resources of the country; industry at home and commerce abroad would grow together, and increasing prosperity would, it may be trusted, strengthen the hands and fortify the determination of the government to follow up the policy of active intercourse, of amity and mutual confidence with foreign nations as initiated by your Mission.

Resting upon these suppositions, the North German Confederation will ever be ready to suit its attitude to the exigencies of that authority, the impairing of which in extent or intensity would open a prospect difficult to imagine, but certainly the reverse of what the interest of the Western powers in the growth of commerce and spread of civilisation demands.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest estimation.

BISMARCK.[1]

[1] *Ibid.*, p. 55. The German press, in contrast to that of Great Britain, took the visit of the Mission to their country with much gravity and some complacency. The *Allgemeine Zeitung* (December 23, 1869), concludes a long descriptive article with the assertion that "Prince Kung can now contemplate with satisfaction the success that has attended the enterprise he initiated, since Mr. Burlingame has so worthily fulfilled the great mission of trust confided to him; moreover, his antecedents warrant us in believing that he will not tire in the grand task to which he has addressed himself — to free the Chinese Empire from 'Gunboat Politics,' and to introduce her to modern culture."

The *Kölnische Zeitung* of January 19, in reprinting the chancellor's reply quoted above, comments: "Man kann das durch diesen officiellen Austausch von Erklärungen zwischen dem Norddeutschen Bund und China zu Stande gekommene Abkommen nur als einen sehr erfreulichen

Mr. Burlingame had already received assurances of a cordial greeting in Saint Petersburg,[1] and counted confidently upon the success of the Mission in adding Russia to a European concert upon the future treatment of China. His hopes were not belied. The Czar received him on February 16 with a friendliness that was not unpremeditated, though it was obviously heightened by the envoy's graceful reference to General Vlangali, his Majesty's former minister in Peking, "whose policy of equity and conciliation," he was told, "contributed to inspire China with the wish to enter into the family of nations, and leads her now through us to declare her desire that the friendly relations between Russia and China which have existed for three centuries shall be perpetual." Alexander II, who was usually reticent in speech, is quoted as surprising the court by the length and heartiness of his reply. "I am very glad to see you here," he

Fortschritt bezeichnen für die Beziehungen Deutschlands zu dem Osten und insbesondere zu dem chinesischen Reiche. Auf die chinesische Gesandtschaft hat, wie wir vernehmen, die kräftige Unterstutzung, welche die entgegenkommende Erklärung des Bundeskanzlers ihrer civilisatorischen Mission gewährt, einen sehr günstigen Eindruck gemacht. Die Gesandtschaft nimmt von Berlin die besten Erinnerungen mit hinweg, und dies wird den Interessen unserer Landesangehörigen in China in jeder Beziehung forderlich sein." The correspondence is reprinted in the *London Times* of January 22.

[1] Speech of General N. P. Banks, a personal friend of Mr. Burlingame's, in the House of Representatives, February 23, 1870. (*Congressional Globe*, Second Session, Forty-first Congress, vol. II, p. 1515.)

returned, "since your presence is a new proof of the peaceful and friendly relations which have always existed between us and China. I hope that your negotiations here will only confirm these excellent relations, and will serve more than all to increase our commercial relations. I am at the same time very glad to see the interests of China represented by the citizen of a friendly state which is especially sympathetic to us." This was encouraging. The Czar was not only personally gracious but willing to show his approval of the political objects of the Mission by according to it the full honours of an embassy of the first class. On the following day, therefore, Mr. Burlingame conducted the members of his suite to the Hermitage upon the Emperor's invitation, and subsequently made an official call at the British Embassy, where he was to dine on the next evening. The long strain of continued movement, excitement, and anxiety had, however, begun to tell upon his physical strength. A severe cold, too long neglected, compelled him on returning to his hotel to take to his bed, where, after a few days of suffering, he died of pneumonia early in the morning of February 23.

No man of Mr. Burlingame's lovable nature passes from life without the plentiful proofs of

esteem and affection which such a loss calls forth from a multitude of friends. The world of his acquaintance was one brotherhood of his admirers, and it is not surprising that his sudden death brought to his widow and family messages of sympathy from every country which he had visited. The Czar and the imperial household, the Queen of Prussia, his latest friends, and a host of old associates at home and abroad, all united to do him honour. And public recognition of his services followed close upon these personal expressions of regard. On the 3d of March the chamber of commerce in New York heard a eulogy upon him pronounced by his friend, Elliot C. Cowdin, and on the 9th, a meeting of Americans in Paris, called to commemorate his achievements in two continents, was addressed by ex-Governor A. H. Bullock, of Massachusetts. A public funeral was voted by the city of Boston. The body lay in state on April 23 in Faneuil Hall — the scene of his early triumphs as an orator — and the Rev. G. W. Briggs, of Cambridge, delivered a fitting oration[1] in the Arlington Street Church before the interment was made in Mount Auburn Cemetery, near his old home. Numerous news-

[1] "A Memorial of Anson Burlingame." Printed by order of the Committee of Arrangements of the City Council of Boston. 1870. 24 pp.

paper notices of his death and sketches of his career testified to a very general recognition of his noble character, his lofty purposes, and the loss to America of one of its great men.

With the loss of its chief the prestige of the Mission was so greatly diminished that it may almost be said to have disappeared. Though some decrease in popular attention might inevitably have been expected after its departure from the courts of the great powers, its sudden extinction as a topic of general interest can only be ascribed to the removal of his dominating and magnetic influence. Under the nominal charge of the Manchu envoy, Chih Kang, guided by Mr. McLeavy Brown, who arrived from China via America in March, the Mission, after leaving St. Petersburg, was received at the capitals of Belgium and Italy, returning to China via Suez in October. It was the popular impression in Europe at the time that had Mr. Burlingame survived he would have completed several treaties which were in process of negotiation at the moment of his death. There was no basis at all for the supposition. No documentary evidence whatever supports the rumours then current that he expected from the courts of Europe anything more than he had obtained already in the nature of written agreements.

Far from desiring new treaties, he was from the outset convinced that China's foreign relations were sufficiently determined by existing compacts, and that she needed for their development only the safeguards of fair interpretation which he had striven to secure. The one treaty which had been contracted was, as we have seen, not of his own initiation, however gratified he may have felt as to its terms, and the hesitation shown by the Tsung-li Yamên in indorsing that covenant must have demonstrated to him the inadvisability of asking imperial consent to other conventions. But, while the influence of the Mission was weakened by his removal, it mattered little in the end, for it had already accomplished the work it went forth to do. The supreme misfortune to China involved in his taking off was, in the words of General Foster, that "it deprived her government of the services of an able and tactful foreigner to direct its efforts toward a more liberal and progressive policy." [1]

The possibilities which such a career as his talents and experience opened to Mr. Burlingame on his return to Peking tempt one to speculations that may be justified on the score of its extraordinary promise. So impressive a

[1] "A Century of American Diplomacy," p. 416.

reminder of the uncertainty of life was not overlooked by publicists of that age, but they were chiefly struck by the picturesque features in an adventure which, whatever was thought of its importance, possessed to a greater degree than the experience of any other American of political prominence in his time the element of romance. The meaning of the enterprise upon which he had embarked was misunderstood by Western people and the expectations it aroused were greatly exaggerated; yet it had intrinsic value so long as it was committed to the care of a man of his imagination and fortitude. With such qualities as he possessed, he would have been unworthy of the high trust reposed in him had he not been fired by enthusiasm and resolved to make this Mission the first step of a progress in international friendship which the Chinese themselves were as yet unprepared to guarantee. But it was the man behind the enthusiasm that made the enterprise what it was, and upon him must be fixed any attention aroused by the episode. He commanded in a high degree the politician's art of rapid apperception, and to this he added a power, which was not recognised by those who watched him from a distance, of acute observation and of profiting by his own experience. To his

freedom from egotism and his ability to listen with an open mind to the views of others, he owed the confidence which he uniformly inspired in those who were his colleagues and who knew him best. For, though impatient of study in the academic sense, he looked constantly to those who were with him to teach him, and in this sense he never ceased to learn. Few men of his varied experience will be found to have had less bigotry of opinion, or a more sincere desire to sink self in a generous determination to promote the truth. In this trait he recalls the many-sided alertness which was common in the New England of his earlier days, where his impressionable character was developed. It was a place where, at that period, young men were trained to do with energy what they thought they ought to do regardless of personal comfort or profit, and no appreciation of Mr. Burlingame's spirit is adequate that does not discover in him a reflection of that strenuous and resourceful age which abolished the servitude of a helpless race and re-created the United States. That was an age of idealism, but of idealism determined to see its ideas put to the test.

Is it likely that the most purblind court in the world would have surrendered a particle of their

fanatical opposition to Western ideas at the instigation of a man of this type who was unable to speak a word of their language? Americans at home, with their instinct for dynamic ideas and their faith in the force of what they desire, believed very greatly that if Mr. Burlingame had lived as long as he had a right to expect he would have seen his brightest visions realised; those Europeans who thought they knew their China did not. Yet with our present knowledge of that race, it seems more probable that the unwitting optimism of America felt, though it did not understand, the truth, and that the wisdom of Europe was at fault. Educated Asiatics yield far more frequently than is supposed in the Occidental world to logic and argument, and though the process of conversion may take long, and involve reactions that drive their well-wishers to despair, a policy of reasonable insistence, without recourse to punishment, coupled with a willingness to accept something short of perfect acquiescence, has usually proved to be most profitable in dealing with them. It has been the eagerness of the West, its impatience and precision rather than its innate cruelty, that has antagonised them and incited them to desperate revolts against the inevitable. And what is broadly true of all Orientals, we can

fairly predicate of the Chinese. The mind of China — whatever may be said of her recalcitrants — to-day needs no further prompting to learn its lesson from the West, yet it still finds Westerners as repugnant as ever. It has been borne in upon the nation that, while they must acquire the material strength to secure a place in the world, their ways are not our ways of life.

What was needed in the generation that came after the Arrow War was some one whose intellect — freed from the bonds of race prepossession — was sufficiently penetrating to recognise high culture in a people so ignorant of the elements of what was thought to be important in the West that a child could teach them, so forlorn in the enginery of their state that any country of Europe could conquer them, so beset with prejudice that they would not lift their eyes to learn. There were foreigners, indeed, who admired their culture, but they esteemed it as a thing apart from the present. It was Mr. Burlingame's genius that not only recognised the greatness of their past, but believed in their ability to become great again, a belief shared by few of his contemporaries. To this intelligence there was needed, moreover, the addition of a genial and demonstrative nature

capable of winning friendship. For the Chinaman, beneath an exterior made serious by the training of centuries, is essentially a good fellow among equals, and quick to perceive the difference between a gentleman and a boor, no matter what the outward guise. Perhaps it was an advantage that Mr. Burlingame, whose courtesy was inbred, acquired his only acquaintance with Chinese civilisation through intercourse with their very best. Europeans who had lived in the ports under the old system, and who were never admitted to the society of the cultured class, had long misjudged the Chinese by their association with the vulgar. If Mr. Burlingame was criticised by some of these for his fancy pictures of Chinese life, the critics were in error through ignorance rather then he.

However this may be, the fact remains that where all foreigners were ignorant of the true philosophy of the Chinese mind, Mr. Burlingame was fortunately removed both by nature and situation from the sort of ignorance which enveloped others of his race, and thereby made free to approach the most influential statesmen in Peking in a way which no one else had tried. Unvexed by the tortuous practices of the mandarinate in the provinces, of which he was, of course, aware, but with which he had no per-

sonal experience, he elevated the diplomacy of the capital by taking the officials at their best, holding them to their promises, but showing sympathy with their difficulties. His tolerance in their bewilderment, his appreciation of their loyalty to their own standards of conduct, his sincerity, and his *bonhommie* won from them in return the warmest personal regard which has ever been paid by men of this rank in China to any foreigner.

At a time, then, when all Occidentals were detested alike by the Chinese, but before they had come into their bitter experience of the land-hunger of European nations, planting their flags and pushing their trade about the world, Mr. Burlingame succeeded in convincing them that there was at least one man of influence who believed in an independent China, and who could make others declare themselves to be of his opinion. They clothed him with extraordinary powers, and placed for a time the honour of the empire in his keeping. They watched his progress about the Western world shrewdly, if a little wonderingly, but, though abashed at the vilifying of a free press, they never mistrusted him. They awaited his return to them with lively anticipations of the fresh counsel he might give them. It is difficult to believe that, had

he been spared, he would not have convinced them of the reasonableness of his plans, pressed home with his accustomed amenity, and inspired them to forestall the troubles that threatened them by rectifying a corrupt administration, and sending their young men abroad for education. With the prestige he had acquired it would have been impossible for the palace politicians to have long withheld him from the knowledge of the Empress-Dowager, and in this way a true sense of the outer world would have been brought to the master-mind of the imperial house. For it was through her ignorance, not her hatred, of the great world that she plunged the empire thirty years later into the calamity of the Boxer madness.

Nor is it fair to object that the contempt with which the Chinese associate envoys were treated on their return indicated the indifference of their government to any real measures of reform. The two mandarins were sent out as mere pawns and never regarded seriously as coadjutors to their chief. Had Mr. Burlingame returned to Peking, he could not, in spite of the jealousy of powerful opponents, have been relegated to obscurity as they were. His position as a benefactor of China was secure, his temper invited confidence, his political experience, not

in one country, but in the world, compelled their attention. If the high officials could listen — though not always obediently — to Sir Robert Hart's advice for fifty years, they would surely have admitted a man of ten times his constraining power to some degree of relationship with their contemplated designs.

If this reasoning has cogency it does not seem excessive to conclude that China might well have been saved the turmoil and loss of a whole generation of political drifting had Mr. Burlingame been spared to encourage her to pursue a definite programme of reform at home and of friendly relations with the powers abroad. Such a programme would of itself have preserved her under ordinary circumstances, as it has Japan, from the predatory schemes of those who seek throughout the world whatsoever regions they can safely devour. But had this not been an effective protection against the ambitions or animosities of all, his appeal to the good sense of a majority of the states of Christendom to cooperate in saving China from political annihilation, and the consequent danger to the world of a scramble for the broken empire, would as surely have been heard as a similar plea was in 1899, when Mr. Hay renewed his invocation and secured their consent to the "open door"

doctrine. It may be noted, indeed, that Mr. Hay, in his capacity of secretary to President Lincoln, was familiar with Mr. Burlingame's correspondence while American minister in China, and presumably recalled, when he broached his famous idea at the crisis of China's recent history, the latter's insistence upon co-operation among the powers as the only safe rule of diplomacy in the Far East. During this long interval China was recalled by Western peoples either as a part of the "yellow peril," or thought of as a derelict drifting more or less certainly to ruin. What she might be to-day had the Burlingame policy not been forgotten is a subject for mournful speculation rather than one of profit to the historian.

Information of the death of their envoy reached the court at Peking on March 22 by way of the courier service from Siberia. Announcement was at once made of the award of a posthumous title of the first rank and of a grant of $10,000 to his family to provide for funeral expenses. The American Chargé was informed of the Tsung-li Yamên's regret upon learning of his demise in a characteristic communication that is not entirely robbed of its quaintness to Western ears by translation:

TUNGCHIH, *8th year, 2d moon, 22d day.*

Prince Kung and the other members of the Foreign Office have the honour to inform Mr. Williams that they were yesterday apprised by Mr. Butzow, the Russian Chargé d'Affaires, that he had received a telegram stating that his Excellency Anson Burlingame had died of sickness the 23d of February. How shall we express our grief and surprise on hearing this intelligence? Mr. Burlingame resided several years in this place, and showed his ability, integrity, and fair dealing in every affair that he managed; and during the time he has acted as the minister for China to all the treaty powers he has exhibited the same entire devotion to all his duties. On hearing now of his decease, the same bitter grief has led us all to wring our hands.

We have sent a dispatch to Chih Kang and Sun asking them to inform us as quickly as they can of the obsequies and disposal of his remains, and when their reply is received we shall be the better able to consider and determine on what course to take. We now send this note to apprise you of the news we have heard, and avail ourselves of the opportunity to wish, etc. . . .

(Cards of Prince Kung and seven others.)

Mr. Low, who replaced Mr. Browne in the American legation at Peking in the following month, encloses this note in a dispatch containing some comments and explanations of interest:

PEKING, *May* 19, 1870.

. . . It is a matter of sincere gratification to know that the difficult duties intrusted to Mr. Burlingame

had been performed to the entire satisfaction of the Emperor and his advisers, and that his services are acknowledged in a manner evincing great respect, gratitude, and liberality. In this connection I would observe that the honorary title of the first rank conferred by the Emperor places Mr. Burlingame on a par with those of the four members of the Privy Council, and is one grade higher than that bestowed upon presidents of the boards and members of the Foreign Office. It is the highest rank possible to be given any one, either living or dead, outside of the royal family. A posthumous title conferred direct by the Emperor is considered by the Chinese the highest mark of respect that can be shown to the memory of a deceased public officer, as the decree granting it becomes a part of the official records of the empire, which will perpetuate the name and fame of the deceased longer than statues or monuments.[1]

This appreciation of Anson Burlingame by the highest officials of China was echoed in a brief panegyric pronounced by N. P. Banks in the American House of Representatives on the morning in which intelligence of his death was received: "It may be said that his work was finished. His responsibilities and his labours were ended. The high and unprecedented Mission with which his name must always be associated was as much due to the rare qualities of his mind and heart as to the exigencies of those

[1] Low to Fish, United States Department of State, "China," vol. 28.

who created it; and the reconciliation of hitherto hostile nations, representing diverse civilisations and opposite ends of the earth, will for ever stand as an enduring memorial of his labours and his virtues." [1]

Two men of the Western world, and two alone, appear to have won the hearts of Chinese statesmen during the nineteenth century: they were General Frederick Ward and Anson Burlingame — both Americans and both men of genial yet prevailing temper. Though men of very different quality, they both possessed the temperament of that generation of Americans which strove with elemental forces and redeemed their country from a great moral and political dishonour. The same chivalrous sense of devotion to ideals, bred in the bone of that generation at home, seems to have prompted these men to undertake, each in his own way, the defence of an alien nation against its enemies. And a like fate brought the conclusion to their careers in the prime of life while striving in its behalf. Others from the West, notably Gordon and Hart, gave their services to that nation with equal sincerity and more enduring results. They have been remembered with gratitude,

[1] *Congressional Globe*, Second Session, Forty-first Congress, February 23, 1870, p. 1515.

but none has touched the imagination of the Chinese as have these two. The impression they made was shown in the unique honours of a public funeral and a mausoleum at Ningpo, bestowed upon Ward, and in the imperial decrees subsequently ordering the names of both to be enshrined among the immortals.[1] It is a suggestive commentary upon the race attitude of Western peoples that the two representatives of Christendom thus singularly successful in securing this tribute of regard should have been called adventurers by men of their own belief and breed, and relegated to the category of interlopers in the great enterprise of "civilising" the Chinese. The homage of China, in the case of Mr. Burlingame especially, showed that cultivated Asiatics accept and understand no civilisation which does not connote sympathy and good manners; it was substantial proof of the abiding influence exerted upon their minds by one whose magnetism — in the words of Mr. Blaine — "reached the mandarins of Peking as effectively through

[1] "As a mark of their peculiar regard for these two men (Ward and Burlingame), they have both been deified by the Emperor, — the latter, we hear, quite recently, — and their names enrolled among the worthies whose influence in the unseen world will benefit the Middle Kingdom. They are the only two foreigners, so far as is known, who have ever had this distinction." (S. Wells Williams, "Our Relations with the Chinese Empire," San Francisco, 1877, p. 10.) I cannot discover any other authority for this statement, but the author was habitually careful in everything he wrote, and appears to have received his information from Peking.

the broken circuit of an interpreter as his living voice ever electrified a Boston audience. His selection for the most important mission which China ever sent to Christian nations was not a matter of accident or luck, but grew naturally from the exalted estimate placed upon his ability and fitness by the leading minds of the Peking Government. As an example of the influence of a single man attained over an alien race, whose civilisation is widely different, whose religious belief is totally opposite, whose language he could not read nor write nor speak, Mr. Burlingame's career in China will always be regarded as an extraordinary event, not to be accounted for except by conceding to him a peculiar power of influencing those with whom he came in contact; a power growing out of a mysterious gift whose origin cannot be assigned; a power which for the want of a more comprehensive and significant term, recurring to our postulate, we designate as magnetism." [1]

A peculiarly personal power like his is destined inevitably to wane when its creative agent is removed. As in the case of the preacher, it disappears with the generation that knew the dynamic personality and is rarely appreciated by the age which succeeds. But men of his own

[1] "Mr. Burlingame as an Orator," *Atlantic Monthly*, November, 1870.

time who had come under his spell and understood his message never forgot him. "There are men," declared a Massachusetts congressman in the House a dozen years after his death, "who were young with Anson Burlingame, and who remember yet the inspiration of his noble spirit; remember yet his marvellous eloquence thrilling their hearts. They will not easily let perish from the earth the work which is imperishably connected with his name." [1]

The credit of the Chinese Mission to the foreign powers has suffered from a singular series of untowardnesses, chief amongst which was the death of the only person whose supreme interest it was to justify it, and whose prestige was sufficient to compel attention in the Christian parts of the globe. But there were other and remoter causes which for a generation combined to doom it to very general condemnation. First among these was the universal ignorance in the Western world of the history and institutional life of China — a pregnant source of misapprehension. Next must be placed the antipathy of nearly the whole educated class of China, at that period unalterably opposed to the introduction of any "foreign" ideas. To these should be added the

[1] Speech of William W. Rice, March 15, 1882. (*Congressional Record*, Forty-seventh Congress, vol. 13, p. 1939.)

jealousy of the European commercial communities in the Far East, which deliberately preferred to continue the old haphazard methods of conducting their business with China rather than to further its adjustment in the interests of the Chinese nation. The attention given in this work to this untoward factor in the career of the Mission must be justified by the fact that it was a very vital obstacle to Mr. Burlingame's purpose and dogged him with objurgations at every step. The course of this opposition has, it is true, been discredited by the events of the past thirty years; but no real understanding of the history of that Mission can be obtained without some analysis of the voluminous literature which embodies the aberrations and apprehensions against which this leader of a novel and unpopular policy had to contend.[1] Again must be reckoned the wave of anti-Chinese feeling that overwhelmed America from the year 1870 onward, and included the negotiator of the treaty of 1868 in the odium attending every phase

[1] Captain Sherard Osborn's "Past and Future of British Relations in China," published immediately after the discomfiture of the British at Taku, in 1859, may be cited as a fair exposition of the attitude of the English commercial bodies in China at the time of Mr. Burlingame's arrival there. James MacDonald's "China Question" (London, 1870) and W. H. Medhurst's "Foreigner in Far Cathay" (London, 1872) represent their point of view at the conclusion of this period. These are all written by honest men, who strove to be impartial and were themselves influenced by no antipathy against the Chinese.

of this deplorable exhibition of race prejudice. And finally, the massacre at Tientsin, by a Chinese mob, of a score of Europeans a few months after Mr. Burlingame's death, shook the confidence of China's best friends in the sincerity of her protestations, while fear of reprisals drove her most progressive statesmen for a time into the arms of the native reactionary party.

Yet, though the importance of the Mission was exaggerated at the time, the fact remains that its success was quite equal to the anticipations of its promoters, and its effect upon the few Chinese who could appreciate its purport was both wholesome and permanent. "It would be a mistake to say," declares one of the fairest of the historians of modern China, "that it failed to produce all the beneficial effect which had been expected. It was something for the outer world to learn, in those days when the Chinese presented to the mind of foreigners ideas only of weakness and falseness, that they had better characteristics and that they contained the elements of great power. Mr. Burlingame was sanguine, and the expectations of his audiences both in America and in Europe overleaped all difficulties, and spanned at a step the growth of years; but only the most shallow-minded observers will deny that Mr. Burlin-

game's widest stretches of fancy were supported by an amount of truth which events are making clearer every year." Perhaps the happiest result of the Mission was its educational influence upon foreign opinion. This suffered, indeed, in the reaction following its leader's hopeful speeches, but in the minds of thoughtful men, especially in America, it survived this initial disappointment, and they began from that time to understand more fully than in the preceding generation the fatuity of treating China as a nation of barbarians. The assertion that the Chinese of that period desired "progress," as Western promotors interpret the word, was premature and needed to be disproved; but it was necessary for Western peoples to realise why they were apprehensive of the changes in their material and social life which were thrust upon them from abroad. They could see in the extension of such an idea only the intrusion of a domineering and eccentric race with customs and a religion that defied their authorities and bade fair to subvert their established notions of conduct and propriety. Their officials apprehended in it the termination of their ancient and prescriptive privileges. Their farmers, labourers, and carriers feared with reason the destruction of their accustomed

[1] Demetrius C. Bulger, "History of China," III, p. 690 (London, 1884).

means of livelihood. But the cardinal thesis maintained by Mr. Burlingame — obscured though it was by the ignorance and prejudices of his hearers — that China had already begun her education and was capable of accepting great and progressive changes undertaken in her own way, is being abundantly justified by time.

APPENDICES

I. The So-called Burlingame Treaty of July 28, 1868.

II. Two Dispatches of J. Ross Browne to Secretary Fish, June, 1869.

III. Hart's Note on Chinese Matters and Browne's Strictures, June, 1869.

IV. Secretary Fish to George Bancroft on American Policy in China, August 31, 1869.

V. Consul Seward to Secretary Fish on the Situation in China, April 22, 1870.

I

ADDITIONAL ARTICLES TO THE TREATY OF COMMERCE BETWEEN THE UNITED STATES AND CHINA, OF JUNE 18, 1858. SIGNED AT WASHINGTON, 28TH JULY, 1868

(*Ratifications exchanged at Peking, November 23*, 1869)

Whereas since the conclusion of the Treaty between the United States of America and the Ta-Tsing Empire (China) of the 18th of June, 1858, circumstances have arisen showing the necessity of additional articles thereto, the President of the United States and the august Sovereign of the Ta-Tsing Empire have named for their Plenipotentiaries to wit: The President of the United States of America, William H. Seward, Secretary of State, and His Majesty the Emperor of China, Anson Burlingame, accredited as his Envoy Extraordinary and Minister Plenipotentiary, and Chih Kang and Sun Chia-Ku, of the second Chinese rank, associated High Envoys and Ministers of his said Majesty; and the said Plenipotentiaries, after having exchanged their full powers, found to be in due and proper form, have agreed upon the following Articles:

Article I

CHINESE JURISDICTION OVER LANDS ON WHICH CITIZENS OF THE UNITED STATES RESIDE, AND OVER WATERS IN WHICH THEY TRADE. ATTACKS ON PROPERTY BY SUBJECTS OF POWERS AT WAR WITH UNITED STATES DISCLAIMED. RESISTANCE TO ATTACKS BY CITIZENS OF THE UNITED STATES

His Majesty the Emperor of China, being of the opinion that, in making concessions to the citizens or subjects

of foreign Powers of the privilege of residing on certain tracts of land, or resorting to certain waters of that Empire for purposes of trade, he has by no means relinquished his right of eminent domain or dominion over the said land and waters, hereby agrees that no such concession or grant shall be construed to give to any Power or party which may be at war with or hostile to the United States the right to attack the citizens of the United States or their property within the said land or waters. And the United States, for themselves, hereby agree to abstain from offensively attacking the citizens or subjects of any Power or party, or their property, with which they may be at war on any such tract of land or waters of the said Empire. But nothing in this Article shall be construed to prevent the United States from resisting an attack by any hostile Power or party upon their citizens or their property. It is further agreed that, if any right or interest in any tract of land in China has been or shall hereafter be granted by the Government of China to the United States or their citizens for purpose of trade or commerce, that grant shall in no event be construed to divest the Chinese authorities of their right of jurisdiction over persons and property within said tract of land, except in so far as that right may have been expressly relinquished by Treaty.

Article II

PRIVILEGES AND IMMUNITIES OF TRADE AND NAVIGATION NOT GRANTED BY TREATY

The United States of America and His Majesty the Emperor of China, believing that the safety and prosperity of commerce will thereby best be promoted, agree that any privilege or immunity in respect to trade or navigation within the Chinese dominions, which may not have

been stipulated for by Treaty, shall be subject to the discretion of the Chinese Government, and may be regulated by it accordingly, but not in a manner or spirit incompatible with the Treaty stipulations of the parties.

Article III

APPOINTMENT OF CHINESE CONSULS IN THE UNITED STATES. SAME TREATMENT AS CONSULS OF GREAT BRITAIN AND RUSSIA

The Emperor of China shall have the right to appoint Consuls at ports of the United States, who shall enjoy the same privileges and immunities as those which are enjoyed by public law and Treaty in the United States by the Consuls of Great Britain and Russia, or either of them.

Article IV

LIBERTY OF CONSCIENCE

Article XXIX of the Treaty of the 18th of June, 1858, having stipulated for the exemption of Christian citizens of the United States and Chinese converts from persecutions in China on account of their faith, it is further agreed that citizens of the United States in China of every religious persuasion, and Chinese subjects in the United States, shall enjoy entire liberty of conscience, and shall be exempt from all disability or persecution on account of their religious faith or worship in either country. Cemeteries for the sepulture of the dead, of whatever nativity or nationality, shall be held in respect and free from disturbance or profanation.

Article V

FREE EMIGRATION. CONTRAVENTION BY SUBJECTS OF EITHER POWER DECLARED A PENAL OFFENCE

The United States of America and the Emperor of China cordially recognise the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from one country to the other for purposes of curiosity, of trade, or as permanent residents. The High Contracting Parties therefore join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offence for a citizen of the United States or Chinese subjects to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China or to any other foreign country without their free and voluntary consent respectively.

Article VI

PRIVILEGES, IMMUNITIES, AND EXEMPTIONS TO RESPECTIVE SUBJECTS. MOST-FAVOURED-NATION TREATMENT. NATURALISATION NOT INCLUDED

Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favoured nation; and, reciprocally, Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or resi-

dence as may there be enjoyed by the citizens or subjects of the most favoured nation. But nothing therein contained shall be held to confer naturalisation upon citizens of the United States in China, nor upon the subjects of China in the United States.

Article VII

EDUCATION OF CITIZENS OF THE UNITED STATES IN CHINA AND OF CHINESE IN THE UNITED STATES. MOST-FAVOURED-NATION TREATMENT. FREEDOM TO ESTABLISH SCHOOLS

Citizens of the United States shall enjoy all the privileges of the public educational institutions under the control of the Government of China; and, reciprocally, Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the Government of the United States, which are enjoyed in the respective countries by the citizens or subjects of the most favoured nation. The citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by Treaty permitted to reside; and, reciprocally, Chinese subjects may enjoy the same privileges and immunities in the United States.

Article VIII

NON-INTERVENTION BY THE UNITED STATES IN DOMESTIC ADMINISTRATION OF CHINA. CONSTRUCTION OF RAILWAYS, ETC., IN CHINA. ASSISTANCE OF THE UNITED STATES ENGINEERS, ETC., PERMITTED

The United States, always disclaiming and discouraging all practices of unnecessary dictation and intervention by one nation in the affairs or domestic administration of

another, do hereby freely disclaim and disavow any intention or right to intervene in the domestic administration of China in regard to the construction of railroads, telegraphs, or other material internal improvements. On the other hand, His Majesty the Emperor of China reserves to himself the right to decide the time and manner and circumstances of introducing such improvements within his dominions. With this mutual understanding, it is agreed by the Contracting Parties that if at any time hereafter His Imperial Majesty shall determine to construct or cause to be constructed works of the character mentioned, within the Empire, and shall make application to the United States or any other Western power for facilities to carry out that policy, the United States will, in that case, designate and authorise suitable engineers to be employed by the Chinese Government, and will recommend to other nations an equal compliance with such application, the Chinese Government in that case protecting such engineers in their persons and property, and paying them a reasonable compensation for their service.

In faith whereof the respective Plenipotentiaries have signed this Treaty and thereto affixed the seals of their arms.

Done at Washington, the 28th day of July, in the year of our Lord, 1868.

(L. S.) William H. Seward.
(L. S.) Anson Burlingame.
(L. S.) Chih Kang.
(L. S.) Sun Chia-Ku.

II

J. ROSS BROWNE TO SECRETARY FISH

PEKING, *June* 23, 1869.

. . . It is contended that the Additional Articles agreed to by the United States with the Chinese Embassy, and the policy avowed by Lord Clarendon on the part of the British Government, render the continuance of friendly relations impracticable; and that it becomes a mere question of time how soon the outrages committed upon missionaries and the continued restrictions imposed upon commerce will compel a resort to more effective remedies than any hitherto applied. It is proper to state that the press in China represents the most aggressive part of the foreign community, and is not always governed by considerations of equity or expediency; but it also, to a certain degree, represents the universal desire of all classes to enlarge the scope of foreign intercourse and place our relations with China upon a more satisfactory footing. I need not say that all are in favour of progress, and that all unite in condemning a policy which they regard as yielding everything and exacting nothing in return. There is always, it must be admitted, a tendency in the progressive element to seek its own ends irrespective of the rights of others, and the foreign communities in China are not exempt from this peculiarity; but this is a condition inseparable from material advancement. Whatever may be their failings they have a direct interest in the progress of China, and carry with them all that is usually brought to bear against isolation, ignorance, and superstition. As a class they are enterprising, intelligent, and determined; and, representing as they do the progressive

spirit of the age and the civilisation of their various nationalities, it is easy to see that they will not be discouraged by temporary obstacles. I feel entirely confident that they will gain all their points in the long run — whether by peaceful means or otherwise remains to be seen. Any restrictions brought to bear upon them by their own governments, founded upon principles of intercourse between Western nations and an erroneous estimate of Chinese character, will be of but little avail in arresting their efforts or changing their determination.

Already the question of encouraging a native invasion from India and the overthrow of the Tartar dynasty has been discussed. It is due to the more responsible classes of the foreign community in China to say that they do not share in such wild schemes of aggression, but it should be borne in mind that projects of this kind are generally started by reckless adventurers, and that sometimes they gain force by surrounding circumstances and in time may involve serious consequences. I call your attention to this curious proposition not because there is any reason to suppose it is seriously entertained, or is at all feasible, but to indicate the direction in which the China question is now tending. . . .

Steam navigation on the Yangtse has been restricted to narrower limits than were previously enjoyed, and all material advance is prohibited. Such a course is not calculated to inspire the foreign population with any desire to sustain the Government in case of rebellion or invasion. Small as the number of foreigners may be, their influence is not so trivial as to be safely disregarded, for they possess both means and determination. The Government would certainly consult its own interests by a more liberal policy toward the merchants and a more stringent application of its power for the protection of the missionaries. If such a course would be productive of some temporary

local troubles with their own people, the complications growing out of an opposite policy are not unworthy of consideration.

J. ROSS BROWNE TO SECRETARY FISH

PEKING, *June* 30, 1869.

SIR: There can be no question as to the general justness of the principles embodied in the Additional Articles concluded at Washington, July 28, 1868, between the Government of the United States and the Ambassador from China. The objection to the policy avowed lies in the inherent difficulty, if not absolute impracticability, of its application to this Empire. Reference to some of the provisions contained in the treaty of Tientsin and the additions made in the new articles will show that such a policy cannot be carried into effect without a relinquishment of existing rights.

1. The Twenty-ninth Article of the treaty of Tientsin stipulates that Christian citizens of the United States and Chinese converts shall be exempt from persecution in China on account of their faith, and the Fourth of the new articles provides that they shall enjoy entire liberty of conscience and reiterates their exemption from disability or persecution. Without a further stipulation that missionaries, who are Christian citizens, shall not preach any doctrine in China, the object of which is to substitute Christianity for Paganism, the principle of non-intervention in the domestic affairs of the Empire would be violated by an enforcement of these provisions. If they cannot be enforced they are necessarily void of effect, except in so far as one of the contracting parties may think proper to observe them. Protection to this class of American citizens and to their converts becomes thus

voluntary on the part of China, and there can be no utility in making it a matter of treaty stipulation.

2. Under the Fifth of the new Articles, the inherent right of man to change his home and allegiance is recognised, and under the Sixth Article, citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favoured nation. Subjects of China may become citizens of the United States, and therefore naturalised Chinese without limit as to number may enjoy under the protection of American treaties and laws all the privileges, immunities, and exemptions with respect to travel or residence in China enjoyed by native-born or naturalised citizens of the United States of European origin.

Considering how difficult it is under all the anomalies presented by two conflicting civilisations to protect the rights of American citizens now in China without partial or entire subversion of the sovereign authority of the Empire, how much more difficult would it be to protect the newly acquired rights of native Chinese! So nearly impracticable would it be that, even if the Chinese Government should consent to ratify such a provision, I cannot but believe it would be good policy on the part of the United States to reconsider its action and withdraw its assent to clauses in the new articles which involve such anomalous conditions and dangerous complications.

III

NOTE ON CHINESE MATTERS, BY ROBERT HART

PEKING, 30th *June*, 1869.

1.— Ever since my first arrival in Peking in 1861 I have been urging the Yamên to move in the direction of what the West understands by the word Progress, and on scarcely any point have I spoken more strongly or more frequently than on the necessity for the establishment of a resident mission at the Court of every Treaty Power (*A*). To show how diplomatic intercourse is conducted, I translated for the Yamên that part of "Wheaton" relating to rights of Legation, Treaties, etc., long before Dr. Martin came to Peking (*B*). I regarded representation abroad as of paramount importance and as, in itself, progress, for, while I thought that I saw in it one of China's least objectionable ways of preserving freedom and independence, I also supposed it would constitute a tie which should bind her to the West so firmly and commit her to a career of improvement so certainly as to make retrogression impossible. Availing myself of the approach of the time for treaty revision, I urged the point on the Yamên more strongly than ever.

As a first step, and by way of demonstrating to the official class that the West can be safely visited, and that the journey is neither very fatiguing nor very dangerous, I induced the Yamên to send Lao-yeh Pin and his party to Europe with me in 1866, and, on my return to Peking at the end of that year, I continued to argue for another forward movement (*C*). Thus it came to pass that, in

September and October, 1867, the matter of representation abroad was talked of every time I went to the Yamên and while Tan-ta-jen told me that, in a week or two, a decision would be communicated to me showing that the Government was about to act at once on my advice. Wên-ta-jen added that if I could be spared from Peking it was in contemplation to appoint myself to accompany the Chinese official on whom their choice was most likely in the first instance to fall. Thus, so far as representation abroad, generally speaking, is concerned, the Embassy now in Europe can scarcely be said to have been a spontaneous movement on the part of the Imperial rulers (*D*).

Toward the end of October Mr. Burlingame went to the Yamên to pay his farewell visit, and in the course of it, I believe, he reminded the Prince that when formerly leaving Peking he had been requested, if the opportunity occurred, to make certain explanations in connection with the disbandment of the Lay-Osborn flotilla (*E*), and then went on to inquire whether he could do anything for the Yamên on the present occasion of leaving China. The Prince replied by some such jocular remark as, "Why, you might just as well be our Ambassador at once!" I style this remark jocular because, for the moment, there was nothing more intended than a pleasantry.

Dr. Martin was interpreting on that occasion, and he doubtless remembers what was said and the manner of saying it. Some days after that Mr. J. McL. Brown told me that the Yamên had it in contemplation to appoint Mr. Burlingame to be its representative to the Treaty Powers, and asked what I thought of it. I at once said that the notion ought to be supported, and on the following day I went to the Yamên and spoke very strongly in its favour. Tung-ta-jen said to me: "We were already seven or eight parts inclined to do it, but now that you approve of it so fully, we really are twelve parts for it:

that is, we thought well of it before; we think more than well of it now."

At first, the idea was that Mr. Burlingame should be invited to go alone, or accompanied only by Mr. Brown; and the Yamên did not then appear to think that funds would have to be provided. I suggested that a Chinese Mission ought not to go without Chinese officials, and that Mr. Deschamps should be associated with Mr. Brown as Secretary of Legation, and arranged for the funds to support the party, fixing the rates of pay, etc. (*F*). Thus, although the establishment of Missions abroad was a step that had been urged on the Yamên for years, the selection of Mr. Burlingame may be said to have been spontaneous; that is to say, he did not solicit the appointment; it naturally grew out of what at first was but a joke (*G*).

2. — The object with which the Yamên dispatched the Mission, as I understood it at the time, was to cultivate and conserve friendly relations by explaining to each of the Treaty Powers the many difficulties that China cannot fail to experience in attempting to change existing conditions or to introduce novelties; to bespeak forbearance, and prevent, in so far as possible, any resort to hostile pressure to wring from China concessions for which the Government did not as yet feel itself ready, and to prepare the way generally for the day when China should not merely hear the words of foreign representatives in Peking, but should be able to address each Government in its own Capital through a resident Chinese medium (*H*).

3. — So far as newspaper reports go, the object of the Mission has been misinterpreted, and the public have regarded it as promising, on the part of China, the immediate performance of those very things which China sent the Mission to explain to the West are so difficult of performance (*I*); the impression created by the sending

of such a Mission has besides been one that a generous, but ignorant and unreasoning public has itself done much to puff into still farther dimensions. Nothing but complete ignorance of China could have permitted the public to assume (*J*) that the vast changes now looked for are regarded as necessary and longed for by China herself, and nothing could well be more unreasonable than to suppose that such changes — even if felt by China to be called for — could be hurried forward and given effect to in the short time in which the West seems to expect them (*K*). The press, in its speculations as to the object of the Mission, has completely overshot the mark; it has forgotten that not one Chinamen in ten thousand knows anything about the foreigner; it has forgotten that not one Chinaman in a hundred thousand knows anything about foreign inventions and discoveries; it has forgotten that not one in a million acknowledges any superiority in either the condition or the appliances of the West; and it has forgotten that of the ten or twenty men in China who really think Western appliances valuable, not one is prepared to boldly advocate their free introduction. The press has lost sight of the ignorance of the West that prevails in China, and has failed to notice the real and natural difficulties that oppose innovation, even where demonstrated to be improvements; it has altogether ignored the Chinese message — which is: "Remember our difficulties"; and has replaced it by words which mean, "We are ready for anything or everything; only say the word and it's done!" Thus hoping all things, but writing without authority, the press has not given prominence to what China really had to say, and has inferred from the arrival of the Mission much that, however likely to come to pass in the future, China certainly did not intend to publish as feasible now (*L*).

Although a man holding an important official position

cannot divest his words of a peculiar official character, it seems to be only fair to allow a certain amount of latitude to after-dinner speeches; it is in the general drift of the speech rather than in the general meaning of each separate clause that the speaker's thought is to be looked for (*M*). Thus, Mr. Burlingame's speech at New York, harshly criticised as it has been, is in the main defensible, when it is remembered that, without doing the speaker the injustice of putting a stern matter-of-fact interpretation on every clause of each eloquent sentence, the burthen of his address to a generous, sympathising audience was: "Leave China alone, and all that you wish for will in its own good time follow." That speech has been severely criticised, and it must be confessed that its language sounded strangely, read alongside of contemporaneous occurrences in China; it naturally suffers most when its parts are individually and separately commented on, and judged of from the standing-point of fact in the past, rather than from its general drift, which is, to suggest hopefulness in the future; but taken as a whole — and making allowance for the festive occasion on which it was delivered — the speech was a true and telling one when regarded as intended to sum up what would result from a policy of fair play and non-interference, rather than to describe things as they now are, and thereon to build a claim for fair play (*N*). It pleaded for non-interference rather from what would be likely to be the result of such a policy, than for it as justified by results already obtained.

The press has launched out into the greatest extravagancies, but China — and, in time, the world, too — will judge of the utility of the Mission by its official results, rather than by the newspaper criticisms of its representative's utterances, and while the Mission, I trust, is not likely to return to China without in some way advising the over-sanguine to moderate their expectations, when

the novelty has worn off, the public will of itself commence to see that, for progress, involving radical changes in the customs and institutions of a country stretching so far away into the almost forgotten past as China, time must be given and patience displayed. At the same time I cannot but fear that, if the public is determined to carry on the delusion, and will not see how unfounded its expectations are, China, by disappointing those expectations, may, fatally for herself, find foes where all wished to be friends (*O*).

4. — When asked if the Chinese authorities are themselves desirous of entering on a career of improvement, and, if so, in what direction and within what definite period, a categorical reply would be as much an injustice to the Western public, were it in the affirmative, as it would be to China herself, were it in the negative. To the mass of Chinese officials the word improvement would convey no idea corresponding to that which is in the Western mind when scrutinising the condition and prospects of China from the point of view that word suggests. From the memorials that appear daily in the *Peking Gazette*, it is abundantly evident that there is no lack of officials throughout the Empire who closely watch occurrences, who are desirous that wrongs should be righted and bad ways abandoned for better, and who courageously and persistently give their opinions and offer their advice in the cause of improvement to the Emperor; but all such criticism relates to the internal affairs of China as distinguished from those affected by foreign intercourse, and all such suggestions appealing to the past purity, rather than to future advancement, founded on ethical precepts and ending in moral platitudes, fail to touch those points which the Western mind regards as at the base of all progress; in a word, material improvement (in its widest sense and suggestion of freedom of action in the devel-

opment of resources and creation of industries) is never hinted at (*P*). But this cannot be wondered at; for the majority are ignorant and but few of the minority are appreciative in the little knowledge they do chance to possess. Some forty officials in the provinces, and perhaps ten at Peking, have a glimmering notion of what it is that the foreigner means when he speaks in general terms of progress, but of those fifty not one is prepared to enter boldly on a career of progress, and take the consequence of even a feeble initiative. In this connection, and at this point, I would call attention to a memo. which accompanies this note, in which I argue that progress has commenced, and will flourish in China, reasoning much as follows:

"To secure progress for China, with her present suspicions and past isolation, China must: First — either be allowed to move to her own pace and develop after her own fashion; or, Second — she must be advised into advancing; or, Third — she must be forced into progress by either (*a*) individual management, (*b*) coercion on the part of one foreign Power, or (*c*) pressure applied unanimously and conjointly by all Treaty Powers. But the Treaty Powers have not identical interests, and will not combine to urge advancement on China. A single Power's attempt, even if disinterested, to coerce China into progress is certain to see its own object defeated by the readiness with which China would take advantage of the distrust and jealousy of some other Power to oppose an inert resistance to the efforts of the would-be foster-mother. Individual management, personal influence apart, simply means trickery, and is sure to collapse. Advice is but thrown away, and even does harm by creating suspicion and gratuitously evoking opposition. Thus, the result of an examination of the conditions which now exist and surround the problem of progress for China leaves us with

but one alternative, and that is, to see if, when left to herself, there is a probability of real and healthy advancement (*Q*). Left to herself, will there ever be a start? *That start, I maintain, has been already made.* The condition of all progress is, that a want shall be felt; it is when a want is felt that the mind seeks to supply it, and some wants are such that in the attempt to satisfy them they create other wants; there is a fountain want which, once tapped, will make a channel for itself and rush onward in a vivifying stream. China has such a master, want, the want of material strength, and in natural life to feel that want is at the bottom of all wants — it is the parent of all progress; she is attempting to satisfy that want; in that attempt to supply a want to which she has become keenly alive, other wants are making themselves felt, and the number of wants will increase, and just as she succeeds of herself in supplying one, so will China's determination to satisfy the others become keener and be exercised after a more intelligent fashion. Thus, in her attempt to become strong physically, China has, to my mind, entered upon a career of improvement, and will, step by step, develop resources, create industries, and achieve progress materially, intellectually, morally. I therefore am daily more inclined to believe that the true policy is to 'leave her alone' — not that I am satisfied with the rate at which she progresses, but that I think, given the conditions which do exist and cannot be ignored, China is more likely to come to good in the end with benefit to herself and harm to none, if allowed to go along at her own rate, than if dealt with after a fashion of which the chief characteristics would be constantly recurring acts of violence, and that foreign dictation which breeds revolt and checks healthy growth and natural action."

Thus, without going the length of saying that the Chinese authorities themselves consciously are desirous of en-

tering upon a career of (what we style) improvement, I feel I can safely assert that China has commenced to improve, and that progress, although slow at the start, is certain to roll onward with a daily increasing ratio (*R*).

5. — As to the audience question, there is no doubt that there is a growing feeling among certain officials who know of the existence of such a difficulty in favour of its settlement by the reception of foreign representatives. But, even supposing some of the most influential advisers adopted and put forward the foreign view, I cannot with confidence predict a pacific solution of the question (and I am of the opinion, when it does come up, that Westerners will either have to fight for it and, by carrying their point, place relations with China on a sure footing forever, or withdrawing from the demand for an audience, acquiesce in inaugurating a policy of which the sole view will be to drive out the foreigner as speedily as possible). At the present moment no Chinese Minister would be hardy enough to advise the Emperor to depart from Chinese ceremonial and receive foreign representatives after the foreign fashion. When the question opens, an attempt will possibly be made to prolong discussion on the Ceremonial to be observed and trust to their embarrassing and interminable length to either gain time to mass troops around Peking or induce the Minister to withdraw his demand; possibly, too, the Chinese may not refer to the Ceremonial at all, and simply arrange for a meeting in the palace gardens. (A solution of the question which would be as fatal to beneficial and friendly intercourse for the future as it would be derogatory to the nation whose representative would consent to it. In other matters progress may be waited for, courted and accepted, bit by bit, in the hope that something better will come of it; but in this matter of audience, to consent to anything but a proper formal reception will establish a precedent and, building up the Court in its

pride, will leave to the future the task of its rearrangement, and that, too, with a far greater expenditure of men and means than a proper settlement, when the Emperor comes of age, would possibly call for). At the present moment the Emperor's chief tutor is Wo-jên — an obstinate old man, ignorant of everything outside of China, and perfectly rabid against foreigners — and, however anxious Wên-siang and his three or four colleagues may be to keep the peace, they will probably lose office, influence, and life if, on the subject of audience, they dare to initiate a proposal to receive foreign representatives on the same terms as the members of the Embassy have been received in the United States and Europe. It may be a debatable point with some whether the audience question ought or ought not to be raised; but once mooted, there can be but one opinion as to how it ought to be solved (*S*).

Foreign intercourse cannot now be opposed, and it is China's own interest that foreign Governments should act firmly in the settlement of a question which, unsettled, is an existing misunderstanding, and at any moment likely to lead to unhappy interruptions of friendly relations. Had it been managed in 1860 matters would now wear a much more encouraging aspect.

6. — The event of the day is, of course, the publication of the additional articles negotiated with the United States.

Those articles *may* be of use to Chinese in California (though indeed I hesitate to say so, knowing that such an opinion suggests, as at its foundation, the idea that the citizens of the United States do not treat Chinese fairly, and is therefore the reverse of complimentary to either citizens or Government), but I question to what extent they will exercise a beneficial influence in inducing or encouraging China to press onward in a career of improvement. It is altogether a mistake to think that China feels more kindly to the United States than to other Powers, and the

additional articles have really nothing in them (so far at least as the surface shows) that did not exist before in the shape of generally acknowledged principles of international intercourse. I heard one remark in this connection, and that was that these articles unnecessarily admitted on paper, on the part of China, physical inferiority to the United States, and claimed, on the part of the United States, the ability, but foregone right, to compel Chinese to do what in the articles the United States promises not to compel her to do; and it was evident that such a way of putting it was not regarded as creditable to China. I do not enter on any discussion of the effect expected to be produced in favour of China on the policy of other Powers by the example set when the United States led the way, and signed articles of which the drift seems to be that China may do as she pleases, and that the United States will in no case interfere in her affairs (*T*).

7. — As regards Article VIII more particularly, whatever its other effects may be, I do not think it at all calculated to hasten progress; indeed, taking my view of progress in China, and regarding it as likely to be accelerated in proportion to the acuteness with which China feels the wants of material strength, I fancy that, were all countries to join in making the same sort of a treaty, the result would be that China's feeling of want of strength would be weakened and her progress proportionately retarded, if not stopped. And, in this connection, it must not be forgotten that the feeling of want of material strength in China is attended now by a sister want. China is gradually feeling how difficult it is, and yet how necessary, to acquit herself of her treaty obligations, and this feeling gives force to the power wielded by the perception of want of strength. Her central weakness goes hand in hand with her external, and her want of ability to give effect to promises with her inability to oppose dictation; give her reasons for growing

strong externally, and she will become proportionately the more capable of performing her compacts internally. I am not arguing in the sense of advocating the propriety of holding out something *in terrorem*, but in the sense of questioning the expediency of doing anything calculated to weaken the very proper feeling that leads every country to desire to secure her own safety by increasing her strength, as her knowledge of her requirements grows. Chinese ignorance, too, may lead her into false views of such action, and then into unhappy mistakes. The Chinese are trying to become strong in that they discern the commencement of changes therein, but simply to be strong enough to prevent the foreigner from forcing China to accept those changes, or adopt the appliances of the West, before she wants them. Left to herself, but with influence all around tending to confirm her feeling of want of strength and not calculated to send her asleep in her weakness, China will grow strong slowly; and, in endeavouring to supply the want felt and acquire material strength, she will step by step create other wants and one by one develop resources, and will in the end adopt those very appliances which she at the outset rejects and prepares to oppose (*U*).

The motives with which China now works will sooner or later bring rail and wire of themselves; and while force would harm China, and a premature introduction of rail and wire ruin speculators, it is, on the other hand, to be remembered that to promise not to force her to improve would be simply to deprive China of her greatest motive for attempting what must end in progress, namely, that feeling of insecurity and that desire to provide against contingencies which induce exertion and which are initiating a course of action that must of itself bring progress and all its appliances in its train. And, as regards residence in the interior, and the navigation of the inland waters by foreign steamers (the question of the expediency or utility

of such measures apart), I fancy such concessions could only be looked for from the Chinese when treaties contain them as rights, and will not in any degree be furthered, but the reverse, by treaties which go out of their way to disclaim them.

However advanced the Chinese may be in civilisation, it is not to be forgotten that their civilisation is not a Christian civilisation; they are Asiatics, too, and there is a pride of race about them that leads them to tread upon the neck that bends, rather than to lift the head that touches the dust, when its owner is an alien (*V*).

It is the keen-sighted policy that will not permit shuffling — the just policy that will not claim what it has not a right to — the firm policy that will not retract from a demand once made — and the personal policy which bases its just requirements on its own, and does not argue for their satisfaction from the point of view of Chinese interests, that will be most likely to command success; any winking at obligations neglected — any claiming of what cannot fairly be laid claim to — any retreating from a position taken up — and any advocacy of measures as favouring Chinese rather than foreign interests, only tend to cause misunderstanding, breed wrangling, invite insult, arouse suspicion and evoke an unexpressed, but action-inspiring scorn. I am not for coercion — I am not for truckling; I think the question ought to be looked at all round and viewed broadly, and those points at which interference is expedient clearly distinguished from those at which it is inadmissible or likely to do harm. The West does not understand China, nor does China understand the West, and a just mean is surely to be found between the view of the men of the day in China who want everything done in their time, and of those who, far away from China, oscillate between extreme exertion and extreme quietude. The best treatment for the future would seem to be found in

that policy which insists that China shall scrupulously carry out her obligations, written and unwritten, to foreign powers, and which leaves her to develop internally after her own fashion; to insist on the first will accelerate improvement in the second, but to interfere in the second will introduce heterogeneous questions which are only too likely to work mischief for the first.

I stop here, not that I have exhausted the subject, but that I am likely to go beyond the ground intended to be covered by this note.

(Signed) Robert Hart.

REMARKS ON THE FOREGOING BY J. ROSS BROWNE

(*A*). — Mr. Hart is an employee in the Customs' Service. It was not his duty to interfere in diplomatic affairs. When he was appointed Inspector General of Customs it was made a condition of his appointment by Sir Frederick Bruce and Mr. Burlingame that he should not occupy a *quasi*-diplomatic position, but should reside at the treaty ports. His retention at Peking, with their consent and approval, can only be accounted for on the supposition that he laboured to carry out their peculiar theories, and that they found it expedient to have an intermediary agent. (See Mr. Burlingame's dispatch, November 23, 1863, and notes of interview, October, 1867; also Sir F. Bruce's dispatch, November 27, 1863.)

(*B*). — The acceptance of Dr. Martin's translation of Wheaton has been adduced as evidence of Chinese progress. (See note to Richard H. Dana's edition.) Doubtless the Imperial Government was quite willing to take advantage of any privileges or exceptions it might contain. There is no evidence that they ever contemplated accepting its obligations.

(*C*). — Lao-yeh Pin was a clerk (shoo-pan) in the Tsung-li Yamên — a man of no influence. On his return from Europe he made a report suited to the views of his employers, condemnatory of foreign improvements, and demonstrating that such things were unsuited to China. In consequence of this he was promoted.

(*D*). — It was utterly foreign to their thoughts. They would gladly have evaded it had they not been so persistently pressed into it, even in 1861, both by Mr. Hart and by the British and American Ministers.

(*E*). — See Dr. Martin's notes of interviews, February 24th, March 3d, March 6th and March 8th, with note from Wên-siang, Tung-sein, and Hangkee. — "Dip. Cor." 1865, part II, pp. 445–9.

(*F*). — This is certainly not much like the spontaneous sending forth of a Chinese Embassy. It appears that even the salaries and expenses were not strictly "spontaneous"; that Mr. Hart and Mr. McLeavy Brown made up the Mission and that Mr. Hart "*arranged for the funds to support the party*, fixing the rates of pay, etc."

(*G*). — The remark of Prince Kung — "*Why you might just as well be our Ambassador at once!*" conveys a different idea and, liberally construed, would probably do injustice to Mr. Burlingame. If it were not that the appointment "naturally grew out of what at first was but a joke," such a remark would scarcely be worthy of notice.

(*H*). — The object, therefore, was to *prevent* all progress inconsistent with Chinese isolation; to avoid the execution of treaties, and set aside the foreign Ministers at Peking. The war of 1860 had resulted in the establishment of diplomatic relations at the capital, which was the only provision of the treaties of Tientsin that the Chinese Government had strenuously resisted. Direct relations with the Imperial authorities had been resisted since the visit of Lord Macartney in 1793. An opportunity now offered

to transfer the scene of future diplomacy beyond the boundaries of the Empire by depriving the foreign Ministers of all power to redress grievances or enforce the execution of treaties. With civilised governments, bound together by common ties of race, religion, and laws, and by facilities of intercommunication, a different interpretation might reasonably be attached to such a movement; but there is nothing in the history of China, since the beginning of foreign intercourse, to warrant the idea that the Imperial rulers had the slightest idea of entering into such relations as those contemplated under the law of nations. What they really wanted was time — time to repeat on a large scale what they had done in the way of preparation to repel foreign intrusion at Canton from 1842 to 1857; and at Takoo from 1858 to 1859; time to establish arsenals, build gunboats, poison the minds of the people throughout the provinces, and, in the end, when no longer able to postpone the execution of treaties, make a final attempt to drive every foreigner out of the country.

(*I*). — The word "immediate" is ingeniously used by Mr. Hart to show how unreasonable the public are in expecting great reforms to be carried into effect at once, and how reasonable the Chinese are in desiring time to adapt themselves to the new order of things. The inference from all such expressions used in connection with Chinese affairs is wholly unwarranted by experience. The public understand well enough that it takes time to build railroads and telegraphs in all countries, and they never expected to see them *immediately* built in China; but there is a difference between doing a thing immediately and indefinitely postponing all experiment — even to the necessary preliminary steps. Time is the essential element in all questions of progress. With China, to postpone a measure is to evade it indefinitely — the day of preparation never comes. It behoves each generation, in our age

and under a progressive civilisation, to do its part; but the Chinese are content with what their ancestors did, and have no desire to better their condition or bestow benefits upon their posterity. Mr. Hart would have expressed the truth more clearly had he said that the Mission was sent to the West to explain not only how difficult it is to introduce improvements in China, but how utterly impracticable without material changes in the present system of government. Innovation strikes at the very root of the existing system. Whatever strengthens central authority destroys to a certain extent provincial responsibility, and this is precisely what the Imperial rulers have resisted since the beginning of foreign intercourse. They rejected the Lay-Osborn flotilla because obstacles were interposed by the foreign representatives to its use by the provincial Governors and subordinate mandarins, and they have invariably evaded that central responsibility which they are now willing to accept since they have discovered an effective way of evading all responsibility—local, provincial, and central.

(*J*). — Mr. Hart is severe upon the public for believing the representations of the chief Ambassador from China. If they manifested ignorance who was better qualified to enlighten them than Mr. Burlingame? He had represented the Government for six years in China; he now represented the Government of China. It was the object of his Mission to explain the condition of China. Surely, it is unfair to blame the public for their confidence in the faith and intelligence of the American Ambassador from the Court of Peking. That he has been deceived I have no doubt. I have full confidence in the purity of his motives and the sincerity of his representations; but I believe he has been the dupe of his own enthusiasm and of the cunning and duplicity of his employers.

(*K*). — Here again, reference is made to "*a short time*." What *time* for the introduction of improvements has ever

been specified by the public? They doubtless hope to see something done within the present generation — some beginning made; but if *a short time* is unreasonable on the one hand, so is *an indefinite time*, which may mean centuries, on the other. It is all a matter of time; life and death are mere matters of time, and yet they are of some importance to us all.

(*L*). — Did Mr. Burlingame remind the press of these facts? Do his public speeches bear that interpretation? Do the published speeches of the leading statesmen and orators of the United States, made at Washington, New York, and Boston on the occasion of the reception of the Chinese Embassy, in response to his representations, bear the interpretation that "there is not a single man in the Empire prepared to boldly advocate the introduction of Western improvements"? If ignorance of the West prevails in China, how is it to be removed by abstaining from all pressure and leaving it to the Chinese to become enlightened of their own accord? It is an undoubted fact that they are less enlightened now than they were at the beginning of the Christian era. To what process, therefore, are we to look for increased intelligence on their part? There seems to be no difficulty in their acceptance of foreign improvements when the object is to restrict or repel foreign intercourse. No objection is made to the establishment of arsenals and the building of gunboats. Railroads and telegraphs are regarded with dread; we are told that the people are hostile to them — that such innovations would produce disturbances throughout the provinces; but arsenals and gunboats, to repel the advance of a Christian civilisation and hold the masses of the people in bondage, are eagerly accepted. The only objectionable improvements are those offered in the interests of peace and civilisation. Whatever tends to elevate the condition of the people and to enlarge the scope of foreign intercourse

is excluded as incompatible with the dignity of the Empire and the happiness and wellbeing of the masses.

(*M*). — Post-prandial speeches are not always satisfactory even to the Government and press of the United States, notwithstanding the latitude allowed in that direction under our system. Much depends upon the correctness of the statements made and the fidelity with which public sentiment is represented.

(*N*). — This is, to say the least, a curious line of defence. All experience is to be rejected; the existing condition of affairs in China is to be disregarded; neither the past nor the present is to be taken as a guide, but we are to build hopes for the future upon a policy not justified by any results obtained. If Mr. Hart's argument does not mean this, what does it mean? Mr. Burlingame's selection proves that the Chinese have had fair play since the war of 1860 — otherwise why did they select him? As to non-interference, the only interference by foreign Governments in the affairs of China since that date was to suppress the Tai-ping rebellion and prevent the overthrow of the Manchu dynasty. Surely, this is not a legitimate subject of protest. What other interference has there been since 1860, except to ask for the execution of treaties? The treaties have never yet been enforced. The diplomatic correspondence for the past eight years shows that they have been persistently evaded both by the Central Government and by the local authorities, and that neither the one nor the other has ever yet manifested a disposition to carry them out in good faith. Sir Frederick Bruce complained in June, 1863, of the "general disregard of treaty provisions manifested at the ports," and said that "the Central Government, if not unwilling, shows itself unable to enforce a better order of things." (See his letter of that date to Prince Kung.) Mr. Burlingame, during the same year, made similar complaints, and

said that the tergiversations of the officers who administered the government rendered it difficult to hold relations with them without a sacrifice of personal dignity. Mr. Williams, in 1866, said the effects of the lesson taught by the war of 1860 were passing away, and the rulers were becoming more obstructive and impracticable than ever. Sir Rutherford Alcock, in 1868, protested in the strongest terms against the continued disregard of treaty stipulations, and complained that their modest essential provisions were rendered nugatory by the *vis inertia* and shuffling evasions of the Imperial Government. The whole diplomatic corps at Peking up to the present time have, during the whole term of their existence at the capital, been chiefly engaged in making similar protests and remonstrances. The merchants at the treaty ports, through their Chambers of Commerce, have filled the archives of the Legation with proofs of the persistent manner in which trade has been obstructed and treaty rights violated; the missionaries have written in vain from all parts of the country protesting against the indignities and abuses heaped upon them by the local mandarins, in direct violation of treaty stipulations; in effect, there is no difference of opinion on the subject among foreigners in China. Is this universal testimony to be disregarded? To whom are we to look for the truth if not to our own representatives, and to all classes who hold intercourse with the Chinese? And yet the Government of the United States, in July, 1868, adopted actual articles practically granting the Chinese exemption from all existing obligations; and Lord Clarendon, in December, 1868, understood from Mr. Burlingame that the Chinese Government were fully alive to the expediency, or even necessity, for their own interests, of facilitating and encouraging intercourse with foreign nations, etc., and fully admitted "that the Chinese Government were entitled to count upon the forbearance of

foreign nations." It might reasonably be asked what had been done to the Chinese to give them such an extraordinary claim to consideration and forbearance. All the testimony shows a persistent violation of treaties during a period of eight years, when there was no interference in their affairs, beyond the existence of the treaties themselves, save to suppress a rebellion which threatened the overthrow of the Government. With this experience before him, Mr. Hart thinks it quite justifiable to say, "Leave China alone, and all that you wish for will, *in its own good time*, follow." Such a defence, it seems to me, manifests a liberal desire to sustain all sides of the questions, however conflicting, rather than a strict adherence to any established principle of policy. While he approves of non-interference, he thinks that if the public "will not see how unfounded its expectations (based upon non-interference) are, China, by disappointing those expectations may, fatally for herself, find foes where all wished to be friends"; and this is a condition of things which he considers "hopeful."

(*O*). — Mr. Hart is quite right in saying that the word "improvement" conveys to the mass of Chinese officials no idea corresponding to that which is in the Western mind. The difference is simply this: *By improvement*, Western nations mean ameliorating the condition of the people, developing the resources of the country, increasing the profits of labour, and enhancing the comfort, freedom, and happiness of all — in other words, profiting by the experience of the past, and advancing with ever-accumulating intelligence into the future. The Chinese mean the cultivation of memory and an adherence to time-honoured usages, blindly imitating the past and obdurately resisting all reforms. Progress, with the one, means going forward, with the other, going backward. Arts are lost, sciences forgotten; the whole Chinese na-

tion is far gone in demoralisation and decay; and yet Mr. Burlingame assumes that the prospect is cheering, if we will only let them alone; and Mr. Hart thinks so too, but with the reservation that China may possibly disappoint public expectation by progressing in the wrong direction.

(*P*). — This is no new feature in the Chinese system. It has been in existence ever since the Empire was founded. However beneficial it may seem in theory, it is practically one of the greatest existing abuses. The *Peking Gazette* is notoriously an organ of official chicanery, intrigue, and deception. It rarely contains a single reliable statement. The Censors are the most corrupt of all the official classes. Their opinions are bought and sold, their censures are insincere, and their apparent boldness in denouncing fraud and malfeasance in high places is designed more frequently to cover up the misconduct of the parties accused, or their own shortcomings, than to secure honesty in the administration of public affairs. To advise, and even censure, the Emperor has a democratic appearance, but it is like all Chinese falsehood — a constitutional habit of untruth, unaccountable to foreigners in its aimlessness, for few believe in it except the most ignorant. When the Emperor wants to do anything which he fears may be disapproved by any portion of the official classes, the Censors speedily take the hint, and he is boldly lectured for not doing it. I am surprised that Mr. Hart should refer to so shallow a system of jugglery as evidence of anything whatever, save that spirit of deception which pervades the whole fabric of Chinese society. He admits that these Censors, who so freely express themselves on public affairs, never hint at material improvement in the Western sense. The *Peking Gazette* never yet contained a memorial from the boldest mandarin in the land recommending an experiment in railways or telegraphs, and yet there are mandarins who have professed to be friendly to these improve-

ments. Why does not Prince Kung himself, or Wên-siang, or some other of the supposed friends of progress, come out and prepare the way? If the Emperor can be told unpleasant truths, why not tell him some of the advantages of railways and telegraphs? If the people are opposed to them, why should not the few intelligent men who are said to be friendly to the cause place reliable information on the subject before the people? Mr. Hart says the majority of the official classes are ignorant, and few of the minority are appreciative in the little knowledge they possess. This is not what was recently represented in the United States; not what was said of Prince Kung and of Wên-siang, and of others, who have been compared to leading American statesmen, nor was it the inducement offered for the admission of China into the family of civilised nations. But this general ignorance, instead of furnishing a reason for withdrawing all pressure tending to infuse new ideas into the minds of the rulers and people, presents the best possible reason why they should be speedily enlightened, if we desire to hold sociable relations with them at all. It is abundantly manifest that there can be no satisfactory intercourse so long as one party evades the execution of treaties upon which trade and friendly intercourse depend, while the other bases its hopes of advance upon vague and delusive theories and practical withdrawal of all coercive power from its representatives and all protection from its citizens.

(*Q*). — In reference to these three propositions, it is sufficient to say: 1st. — That China advanced at her own pace and after her own fashion for upwards of two thousand years, at the expiration of which period she had so far degenerated as to have lost nearly all her arts and sciences and fallen into a state of hopeless decay; and it was not until foreign Powers forced open her ports and imposed new conditions upon her that she advanced a single step

in the direction of material improvement. 2nd. — Mr. Hart's advice is more than useless. 3rd. — He contends that coercion cannot be applied successfully by one Power, and that pressure will not be applied unanimously by all the Treaty Powers because of diversity of interests; hence, that there is no alternative but to leave her alone, and thereby induce "a real and healthy advancement." But he has already admitted (see note *N*) that all experience is against this self-advancement — that the hope of spontaneous progress is not based upon either the past or present condition of China, or upon any results hitherto obtained, but rather upon a liberal interpretation of a speech made upon a festive occasion by the American Ambassador from China, the general tone of which was "to sum up what would result from a policy of fair play and non-interference, rather than to describe things as they now are."

(*R*). — Mr. Hart makes the encouraging announcement that voluntary progress has already commenced — that a start has already been made. When we analyse the ground upon which this assertion is made, it appears that the Imperial Government feels the want of material strength, not to govern the provinces and compel an observance of treaties on the part of the provincial mandarins (because that would be an innovation upon the time-honoured principles of local responsibility), but to resist foreign intrusion or impose such onerous restrictions upon foreign intercourse as to narrow its limits to the treaty ports and, if possible, regain that position of isolation which the Empire had enjoyed for so many centuries. What other kind of "material strength" is meant than that which is acquired through arsenals and gunboats, what other do we hear of in China, and what other do they feel the want of? Mr. Hart refers explicitly to armaments and munitions for war. He has already stated that improvements,

such as railroads, telegraphs, etc., are neither understood nor desired, and that of the "ten or twenty men in China who really think Western appliances valuable not one is prepared to boldly advocate their free introduction." Reduced to the legitimate meaning, therefore, the statement that progress has actually commenced amounts to this: That the Chinese Government is establishing arsenals and building gunboats for the purpose of restricting foreign intercourse to such limits as it may deem consistent with the preservation of its ancient system; in other words, to resist all innovation from the West not essential to warlike purposes. The objection to free intercourse is, that it tends to enlighten the people and destroy the despotic rule of the mandarins; it introduces change, which is fatal to the permanency of the system. When we are told, therefore, that the Embassy from China means progress — means the unification of the whole human race — means that China desires to come into warmer and more intimate relations with the nations of the West — that she comes forward of her own free-will and asks to be received into the family of nations, it is difficult to conceive upon what ground these extraordinary assumptions of friendship are founded. Viewed in the light of such representations, and in connection with Mr. Hart's statement of facts, China desires to become a member of the Christian family because she desires to retain her pagan systems; she is entitled to forbearance and friendly treatment because she is establishing arsenals and building gunboats to resist the execution of treaties; she is advancing in the arts of war and, therefore, "the true policy is to leave her alone." But Mr. Hart subsequently admits (clause 7) that if we leave her alone she will not feel that want of material strength which is producing these beneficial results, but will relapse into indifference and cease to advance. What, then, is to be done? We must not advise her, be-

cause advice creates suspicion; we must not force her, because the use of force would be unjust and would not produce the desired results; we must not press her, because united pressure, which is impracticable owing to diversity of interests, would be essential to success; we must leave her alone that she may advance of her own accord. But if we leave her alone she will not advance. This Mr. Hart considers natural and healthy progress. I see no other conclusion to these arguments, and must confess that they strike me as more ingenious than logical.

(*S*). — By far the most important part of Mr. Hart's communication is that relating to the audience question. The revelations marked by himself in brackets are astounding. No man understands better than Mr. Hart the feeling of the Chinese rulers on this subject. He is in daily contact with them; his advice is sought on all important occasions. (See notes of Mr. Burlingame's interviews, October, 1867.) He is constantly consulted upon questions of foreign policy. He speaks the Chinese language fluently, and has had many years' experience of Chinese diplomacy. His statements cannot be regarded as mere conjectures. What he so confidently asserts is based upon personal knowledge. I refrain from an analysis of these extraordinary developments. They require no comment. If Western governments can see in them any evidence of a desire on the part of China to accept the obligations as well as the privileges of international law, or the slightest disposition to enter upon terms of equality into the family of nations, I can no longer understand the use of words or the value of facts.

(*T*). — Mr. Hart is a British subject, and therefore may be supposed to have prejudices in favour of his own nationality. His statement, however, in regard to the absence of any preference on the part of the Chinese for Americans is attested by most of our diplomatic repre-

sentatives and by all American residents in China. We are recipients of all the advantages gained by British and French arms, and are, in the eyes of the Chinese, accomplices in the acts of hostility committed by those Powers. The ratification of the New Articles, though they were made in the interest of China, is postponed, partly because of the complications growing out of the favoured-nation clause in all the treaties, but chiefly, as I now believe, because they regard all special tenders of advantages by foreign governments as covering some sinister project to open up the country. The mere mention of railroad and telegraph fills them with visions of unrestricted intercourse. When they are told by a progressive and enterprising nation that these improvements will not be forced upon them, they naturally tax their ingenuity to find out where, or in what form, the new assault upon their established usages is going to be made.

(*U*). — Mr. Hart's comments upon Article VIII (embraced in this paragraph) quite concur with my own views, and show very clearly the fallacy of the *laissez-faire* policy advocated by himself. In reference to the other positions of his argument, I think that the attempt to become strong by rejecting all improvements made in the interests of peace and accepting only those designed for warlike purposes will fail to result satisfactorily. Certainly, it is not a healthy mode of progress, nor is it likely to conduce to peaceful relations. The difficulty is clearly summed up in the following words: "China's ignorance may lead her into false views of such action, and then into unhappy mistakes." She has already, on more than one occasion, deemed herself strong when she was weak. She may do so again, and war will be the result.

(*V*). — All these arguments tending to show that healthy progress has commenced strike me as fallacious. Doubtless China has desires to be strong enough to resist mate-

rial reform, but she is too ignorant and too short-sighted to see that nothing less than a radical change in her system will give her real strength; and who believes that she desires such a change? While she causes a few companies of soldiers to be drilled by foreign officers, she rejects the essential means of discipline — rations honestly distributed and compensation honestly paid. The same is the case with her so-called naval service. Fiscal corruption lies at the very foundation of her system. All her provincial officers, constituting the most powerful class in the Empire, will resist reform to the bitter end, because in it they see a centralisation of power and the decadence of their own influence. They will not voluntarily relinquish the profits and emoluments of official positions, to attain which they have devoted the best years of their lives. There is no patriotic feeling, no spirit of nationality to bind the different classes together in the acceptance of any policy for the common good. Grasp at the whole Chinese nation, and you hold in your hand but a single Chinaman. It resembles an enormous vessel filled with fine shot; there is insulation without individuality — aggregation without cohesion. No other such example of all-pervading selfishness exists upon earth. Dr. Williams, in his "Middle Kingdom," has well defined the Government to be "one of the most unmixed despotisms now existing" — a graduated despotism permeating every branch of society, and preserving subordination by the "threefold cord of responsibility, fear, and isolation." I append the passage in full containing as it does the best analysis I have yet read of the organism of the Chinese Government. Will the experience of Dr. Williams, a resident of China for thirty-seven years, learned in the language, literature, and official usages of the country, a diplomatic employee of the Government of the United States for the past nine years, be cast aside as

worthless because it does not accord with delusive theories of Chinese perfection? Yet this is the cruel and debasing system which is compared to the democracy of America; this is the pagan despotism which Christian nations are now pledging themselves to sustain; this is the hoary civilisation which the dormant powers of the world are united to perpetuate untainted and unadulterated!

It is unjust to Great Britain and derogatory to our own dignity to assume special merit for the forbearance with which we have always acted toward China. What advantages do we possess in China which have not been gained by the force employed by other Governments? The indemnity obtained by Mr. Reed for injuries inflicted upon our commerce was extorted by British arms, and we now enjoy the benefit of a surplus amounting to over two hundred thousand dollars to which we have no moral right. The American Minister is permitted to reside in Peking under the second Article of the British Treaty and the third Article of the French; and American citizens are permitted to travel in the interior (wherever they can travel) under the ninth Article of the British and the eighth Article of the French Treaty. It is absurd, therefore, to talk of an exclusive American interest, or to assume an influence over the Chinese because we stand in the background and become recipients of the bounty of other nations. If the principle of our interest is right — and I do not question its general propriety — it should be maintained without injustice to others, and not because we may be able to conserve the position we occupy, with its continued advantages of peace and the profits, without the expenses of war, to our own benefit. Indeed, there is no such thing as exclusive privileges or advantages in China except such as may result from the ordinary laws of trade. As Mr. Burlingame well observes, "By the favoured-nation clause in the treaties, no nation can gain

by any sharp act of diplomacy any privilege not secured to all."

It is difficult to see any good reason why we should regret all the testimony furnished by experienced observers, and base our hopes of progress upon theories unsupported by facts.

No personal abuse for opinions honestly entertained by the undersigned, or by any other public officer, will remove the prejudices of the Chinese against our civilisation; no amount of vituperation applied to our merchants and missionaries will impair their rights under existing treaties. If the Government of the United States performs its duty, it will give them the protection to which they are entitled.

J. Ross Browne.

IV

MR. FISH TO MR. BANCROFT

DEPARTMENT OF STATE,
WASHINGTON, *August* 31, 1869.

SIR: Referring again to your dispatch No. 8, of the 4th of May last, I propose to give briefly the views of the Department as to the policy to be pursued toward China.

I am induced to do this mainly because the chargé d'affaires of North Germany has, under instructions from his government, inquired of me whether the President still adheres to the principles established by the additional articles to the treaty of June 18, 1858, which were concluded July 28, 1868. That government has, on several occasions, manifested a desire to harmonise its policy with ours in the Pacific. While I have freely communicated to Mr. Krause the views which we entertain, and have gone so far as to read to him copious extracts from the communications of Mr. Browne and Mr. George Seward from China, I thought, as you are soon to meet Mr. Burlingame and his colleagues, it may be well to give you a little more in detail the views of the President on this question. The great principle which underlies the articles of July, 1868, is the recognition of the sovereign authority of the imperial government at Peking over the people of the Chinese empire and over their social, commercial, and political relations with the western powers. Although it is true that many of the Christian governments, including the United States, had before then concluded treaties with the imperial government, yet it is

scarcely exaggeration to say that their relations at that time were rather those of force than of amity.

The commercial foothold along the coast had been gained by conflict or by demonstrations of force, and were held in the same way. The occupation which, originally hostile, had become commercial — and so far friendly as the relations of commerce demanded a show of amity — aimed in the commencement, with some European settlers, at territorial acquisition; but this tendency had been checked by the rivalry of different nationalities until the foreign jurisdiction, more by the tacit consent of the foreigners than from any active power exercised by the Chinese, had become limited to the essental matters of the municipal government of the communities of Europeans and the exercise of jurisdiction over their persons and properties. The communication between China and the outside world was merely confined to the trading points. With the intellects that rule that nation of four hundred and fifty millions of people, with the men who gave it its ideas and directed its policy, with its vast internal industries, with its great agricultural population, the traders, consuls, and functionaries of the ports rarely came in contact except in the contact of war. The European-Chinese policy was one of isolation, inasmuch as it only sought the development of a foreign trade at certain particular ports, and of disintegration, as it practically ignored the central government and made war upon the provinces to redress its grievances and to enforce its demands.

It is true, indeed, that by the treaty of Tientsin, in 1858, the privilege was secured to the United States and the European powers to maintain legations at Peking, and that for the ten years that followed diplomatic representatives resided here. It is also true that from that residence and the contact with the higher Chinese officials

there has come a better knowledge of the Chinese nation and of the relation between its people and its government; but it is none the less true that those treaties closed a war which resulted disastrously to China; that before their ratifications could be exchanged another war became necessary to enforce them; that the concessions they contained were forced from the imperial government; that the new policy was not favoured by the Chinese statesmen; that it did not measurably increase the personal intercourse between the natives and the Europeans; and that many of the wisest of the Chinese rulers honestly dreaded any increase in such intercourse, as tending to the introduction in China of the labour-saving machines of the west which, in their judgment, would throw multitudes of people in their thickly settled country out of employment, reduce them to beggary and starvation, and inflict irreparable woes on China. For an able and temperate statement of these views by a person who is described by Mr. Browne as a man "of acknowledged ability and commanding influence," "who is regarded as the most enlightened statesman of the empire," I refer you to the remarkable inclosure which I shall subsequently allude to further. To say that such views are fallacious and obsolete; that they are confuted by the experience of western nations like England and Belgium, which have as great a population to the square mile as China; that they are opposed to all sound theories of political economy, does not meet the case. The facts remain that they did at one time control the policy of China, and that they are still adhered to by many of her leading statesmen; and in dealing with this question these facts must not be lost sight of.

The treaty negotiated by Mr. Burlingame and his colleagues was a long step in another direction. It came voluntarily from China, and placed that power in theory

on the same diplomatic footing with the nations of the western world. It recognises the imperial government as the power to withhold or to grant further commercial privileges, and also as the power whose duty it is to enforce the peaceful enjoyment of the rights already conferred.

While it confirms the interterritorial jurisdiction conferred by former treaties upon European and American functionaries over the persons and properties of their countrymen, it recognises at the same time the territorial integrity of China, and prevents such a jurisdiction from being stretched beyond its original purpose. While it leaves in China the sovereign power of granting to foreigners hereafter the right to construct lines of railroads and telegraphs, of opening mines, of navigating the rivers of the empire with steamers, and of otherwise increasing the outlets for its wealth by the use of the appliances of western civilisation, it contemplates that China shall avail herself of these appliances by reasonable concessions, to be made as public necessities and the power of the government to influence public opinion will permit. This treaty has not yet been ratified by the imperial government, and I am informed by Mr. Browne that Prince Kung "deems it advisable to defer the exchange of ratifications till the return of the Chinese plenipotentiaries." Mr. Browne does not "infer any slight to our government from this delay, or any want of appreciation of its friendship," and he thinks that "the true cause of the delay may be found in the peculiar attitude of China toward all the treaty powers." "When the government of China," he adds, "is satisfied that it will not be injurious to its interests to accept these articles, it will do so."

The President has been disposed to view this matter in the same light, and, therefore, has not pressed for a ratification, feeling confident that, as the treaty is so much for the interest of China, the statesmen of that empire

must inevitably see the propriety of authorising the ratification to be exchanged. Rumours reach us by telegraph from Hongkong, by way of London, that the imperial government have decided not to ratify this treaty, but we are not inclined to credit them, as they are opposed to the general tenor of our information. Some things have taken place, however, which, regarded by themselves, tend to lead us to the conclusion that it is possible that China may reverse her policy; and in order that you may have full information on this subject, it is proper that I should briefly state them.

Not long after the treaties of Tientsin, what is known as the co-operative policy of the great powers in China began; I think this dates from about the year 1863, but it is immaterial for my present purpose whether it began earlier or later. Under this policy, favoured by the fact that most or all of the treaties with the western powers contained the most-favoured-nation clause, the Christian communities of all nationalities in China have been regarded as having a common political as well as commercial interest, to be pursued under joint counsels, and it has followed from this that in important matters the Chinese officials have been made to see, sometimes even with a show of ostentation, that there was a substantial unity of design among all the powers. The apprehension has been expressed lest the operation of the eighth article of the treaty of July should put a stop to this co-operative policy; and I am bound to say that, so far as that policy was aggressive and attempted to force upon China measures which could not be enforced upon a European or American state by the rules of the equitable code, which regulates the intercourse of civilised nations, in my judgment, that article may, when ratifications are exchanged, prevent the United States from participating in such a policy.

The question becomes a practical one from the fact

that the revision of the British treaty of 1858 is under consideration. The twenty-seventh article of that treaty provided that either party might "demand a further revision of the tariff and of the commercial articles of the treaty at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years."

The thirtieth article of the treaty between China and the United States, of 1858, provides that "should at any time the Ta-tsing empire grant to any nation, or the merchants or citizens of any nation, any right, privilege, or favour connected either with navigation, commerce, political, and other intercourse, which is not conferred by this treaty, such right, privilege, or favour shall at once inure to the benefit of the United States, its public officers, merchants, and citizens." Thus the United States became directly interested in the revision of the British concessions.

It being well understood that Great Britain would, when the time came, demand, among other things, the right to navigate the interior waters of the empire with steam, the right to construct and to hire warehouses in the interior for the storage of goods, and the right to work coal-mines, the government of Peking, on the 12th of October, 1867, took steps to get information from the different parts of the empire upon the subject of revision. Among others, Tsêng Kwo-fan, acting governor of the provinces of Kiangsu, Nganhwui, and Kiangsi, "a man over seventy years of age, and of distinguished reputation throughout the empire," received these instructions and made, in answer to them, the able report to the copy of which, herewith inclosed, I have already called your attention.

Though the work of a conservative mind that clings to the traditions of the past and sees few good results in

change, it is moderate and temperate, and must be conceded to be, from the Chinese stand-point, a not unwise view of the subject. With all its conservatism it is easy to trace in it the enlarging and modifying influences of contact with the West.

In substance, however, it recommends the Emperor's advisers not to grant the important new concessions asked for by the government of Great Britain.

In November last the expected demands were made on the part of Great Britain by Sir Rutherford Alcock in a personal interview with Prince Kung and some of the other ministers. They were made in strong language, as necessary to the proper enjoyment of the rights conceded by the treaty of 1858, and the Chinese government was warned in advance of the probable course Great Britain would pursue in case of refusal. The American minister gave Sir Rutherford Alcock the support of his presence at the interview, and afterward received from Sir Rutherford full copies of an account of it, which was drawn up in the British legation and transmitted to Prince Kung. I inclose copies of these documents.

Prince Kung, on his part, soon replied in a dignified and moderate way to the peremptory demands of Sir Rutherford Alcock. He admitted the substantial accuracy of Sir Rutherford's account of the interview. He said that China and Great Britain could not be coerced into a similarity, neither could either wholly adopt the usages of the other. He deprecated the entire submission of China to the demands of the foreign merchants. He denied that there had been wilful violations of the treaty. He stated, in detail, many points in which China is prepared to make concessions, which will, he thinks, give to the foreign merchants all they ought to ask. But to admit steamers on the interior lakes and rivers, to establish hongs, and to carry on mining operations in the interior,

will, in the judgment of the prince, be so distasteful to the people that it will be impracticable for the government to attempt to carry out the terms of such a concession should it be made; and Great Britain, in that case, would have just cause to upbraid China for bad faith.

To the representation that these concessions would be beneficial to China, the prince replies that a good physician ascertains the condition of his patient before deciding on the remedies, and intimates that he knows the condition of China better than Sir Rutherford Alcock does; and he closes by furnishing the British envoy with a memorandum of the basis for a revision which will be acceptable to the Chinese government. I inclose copies of these papers.

As Mr. Browne had, in pursuance of the co-operative policy, interfered personally and in writing on behalf of the British claim for a revision, Prince Kung, about the same time, addressed a note to him, of which I inclose a copy.

The basis for a revision, which was proposed by the Chinese government, conceded the opening of landing stages on the Yangtse at points to be agreed upon; the working of mines in the vicinity of one or more of the treaty ports; the right of inland navigation by vessels not propelled by steam, this restriction to cease when Chinese use vessels propelled by steam; a steam-tug on the Poyang Lake; and the free right to travel throughout the land and to hire lodgings and accommodations for produce or goods.

Mr. Ross Browne, who sympathised and co-operated with the British minister throughout the negotiations, appears to think that the points gained may become of importance as a starting-point for negotiations hereafter. I inclose you a copy of his letter to Sir Rutherford Alcock on the subject.

The British minister at Washington, on the 9th day of June last, notified the United States of the decision of her Majesty's government on this subject, by which it would appear that they have decided to accept the situation and wait quietly the operation of the causes which are working in the Chinese mind. I inclose a copy of an extract from a letter from the board of trade, which has been sent to Sir Rutherford Alcock for his guidance. Such course strikes me as wiser than the more vigorous policy which Sir Rutherford Alcock seems to have contemplated. The points gained may not be as important as could be desired, yet they have been gained peaceably, by negotiation, and are yielded by China as a right flowing legitimately and necessarily from former treaties.

It certainly looks, on the face of this correspondence, as if the conduct of the Emperor's ministers had been inspired from the first by a sense of duty, by a desire to observe good faith toward the western powers, and by a willingness to extend commercial relations with those powers, when they felt that they could do so without prejudice to their own position and without injury to the people whose government was intrusted to them.

I will not dwell upon the obvious difficulty of inoculating new ideas upon such a people, nor upon the evident fact that intelligent statesmen like Prince Kung and his associates measure those difficulties quite up to their full value.

Every consideration, from whatever point of view, leads me to believe that it is neither wise nor just to force the Emperor's advisers into a position of hostility so long as we have cause to think that they are willing to accept the present situation and to march forward, although with the prudence taught them by a Chinese education. You will undoubtedly meet Mr. Burlingame and his associates

in Berlin. You will, if you please, ascertain from him whether he has definite information as to the intentions of the ministry at Peking. Unless it shall appear that they have already decided not to ratify the treaty of 1868, or unless you shall be satisfied that such will be their decision, and that the policy inaugurated by Mr. Burlingame is to be reversed, you will render him and his associates whatever assistance you can in securing the co-operation of North Germany in the new Chinese policy. You will also doubtless have an opportunity to impress upon Mr. Burlingame the importance to China of an early ratification of the treaties. I have stated already that the President has no solicitude as to the purpose of the Emperor's advisers in that respect. But he thinks it would be well to have defined in a permanent law, as soon as possible, the relations that are hereafter to exist between the United States and China.

Many considerations call for this beside those which may be deduced from what has gone before in this instruction. Every month brings thousands of Chinese emigrants to the Pacific coast. Already they have crossed the great mountains, and are beginning to be found in the interior of the continent. By their assiduity, patience, and fidelity, and by their intelligence, they earn the good-will and confidence of those who employ them. We have good reason to think that this thing will continue and increase. On the other hand, in China there will be an increase in the resident American and European population, not by any means commensurate with the growth of the Chinese emigration to this country, but corresponding with the growth of our country, with the development of its resources on the Pacific slope, and with the new position in the commerce of the world which it takes with the completion of the Pacific Railroad. These foreigners settling in China, occupying the various quarters assigned to them,

exercising municipal rights over these quarters by virtue of land regulations, either made by them or for them by their home governments, cease to be an aggressive element in China, when once the principles of the treaty of July, 1868, are promulgated as the law hereafter to regulate the relations between Christendom and that ancient empire. You will also say to Mr. Burlingame that, while the President cordially gives his adhesion to the principles of the treaty of 1868, and while he will, should that instrument be ratified by China, cause it to be faithfully observed by the United States, yet he earnestly hopes that the advisers of his Majesty the Emperor may soon see their way clear to counsel the granting of some concessions similar to those asked for by Sir Rutherford Alcock and Mr. Ross Browne. He will not assume to judge whether the temper of the people of China will or will not at present justify their rulers in doing so; but he thinks that he may, without impropriety, say, that when it can be done without disturbing the good order of the empire, the results must be eminently favourable to the welfare and wellbeing of the Chinese people. And he trusts that the statesmen of China, enlightened by the experience of other nations, will hasten at the earliest moment, when in their judgment it can safely be done, to respond to the friendly feeling and good wishes of the United States by moderating the restrictions which fetter the commerce of the great empire over whose destinies they preside. He relies upon Mr. Burlingame and his associates to impress upon their chiefs at home that the views of such men as Tsêng Kwo-fan, however honest, are delusive; that experience, patent before them in every country through which they travel, has shown them that the evils which seem to be dreaded by the oriental rulers do not follow the free use of steam and of the telegraph; but that, while these inventions improve the condition of all ranks in the community which

uses them, their greatest meliorating influence is felt among the labouring classes.

I am, sir, your obedient servant,

HAMILTON FISH.

N. B. — Since writing the foregoing instructions, I have received from Mr. Burlingame a telegraphic dispatch dated August 31, 1869, in which he says: "I have received a dispatch from the Chinese government expressing strongly their satisfaction with, and acceptance of, the treaty negotiated at Washington."

V

MR. GEORGE F. SEWARD TO MR. FISH

WASHINGTON, *April 22*, 1870.
(Received April 30.)

SIR: It is well known that the principles on which our intercourse with China has for many years been conducted have been clearly defined by the mission of Mr. Burlingame, and that this demonstration of them has drawn forth grave remonstrances from the mass of foreigners on the spot. The principles referred to appear authoritatively in the Seward-Burlingame treaty and the Clarendon-Burlingame correspondence; the views of the merchants in the addresses which they presented to Mr. Ross Browne.

I may state the former as follows: The United States and Great Britain desire to acknowledge the perfect independence and general sovereignty of China within her own borders, and to conform their intercourse with her to the usual courses,[1] that is to say, they will respect her territory and they will not use force or threats of force to urge her on in the path of progress, nor will they allow force to be used in the settlement of disputes and claims, excepting as they would when dealing with a Western state.

To these fundamental principles the merchants take exception at length. The sum of these objections is founded

[1] I have not chosen to dwell here on the fact that the existing treaties do impair the sovereignty of China; they have been made and accepted, and until China complains of them, or they are otherwise shown to be unnecessary, impolitic, or wrong, we need not greatly discuss them. The proposition as stated touches only matters not dealt with in the treaties or affected by them.

in the following sentences, which I extract from the documents mentioned:

"We believe that not only is there a right on the part of Western states to insist on steps that will further the cause of civilisation in China, but a clear duty in that direction; and that the advancement of China without anarchy and rebellion cannot be had by waiting until her own government is content to move. Lord Clarendon has laid down rules of action for our ministers and consuls and our community, which would prove entirely inadequate if any crisis occurred demanding extraordinary measures."

The questions thus stated may be defined as follows:

1st. How may Western states best promote the cause of civilisation and good government in China?

2nd. How may they best protect the legitimate interests of their peoples in that empire?

The one may be concisely termed the question of progress, the other that of dealing with the central government. I shall treat them separately and in the order above given.

When the merchants say that Western states have the right and add that it is their duty, "to insist on steps that will further the cause of civilisation in China," they seem to go a long way. If it is their right they may support that right by force of arms. If it is their duty it may be their duty to use arms. There was a time when European potentates defended the claims of discoveries to and over great districts and the people inhabiting them. Discovery was enough to vest the title to sovereignty, and, lest the two greatest defenders of the faith should thus come into collision, the outside world was divided between them.

To Spain was awarded the regions of eternal youth, which the fancy of the age believed to exist in the golden West. The East, scarcely inferior to Europe in wealth and civilisation, was awarded to the mariners of Portugal. France and England as well adopted the theory, and con-

tentions arose out of it which led even to acts of war and woe. To this day the nations of Europe would not hesitate to assume jurisdiction over islands of the sea, or of districts not already taken possession of by Western states or advanced in power and civilisation. It is only a few years since one of the greatest men of France, M. Guizot, then secretary of foreign affairs, in explaining the circumstances under which the French mission to China of 1844, a peaceful one, was being sent out, declared that if the interests of France should demand it the government would not hesitate to seize an island on the coast of China. At a later date France has pushed conquests in Cochin China. Russia is at this moment extending her domains in Asia. England never fails for an excuse when it is desirable to assume authority over the outlying states of her Indian territory. Even America, when it suited her purpose, asked for access to the ports of Japan. She used soft words, but a great fleet gave emphasis to them.

In fact, moderation has ever been observed when there has been the ability to command respect. When this has not existed the interests, or supposed interests, of greater states have never halted. Conquest and aggrandisement have been the rule, and the observers of the rule have not yet disappeared.

It is true that generally the purposes of Western states are at the present time more or less cloaked and covered over. When it was the aim of Napoleon to extend the Latin power, he waited until Mexico seemed to ask for a foreign ruler. When Great Britain wished to open several of the ports of China in 1839, the seizure of a quantity of opium was made the excuse for a war which accomplished the result. No concealment was made, however, when, in 1857, it was concluded that to sustain friendly relations with China access to the capital was indispensable. Townsend Harris argued with the Japanese for priv-

ileges broader than those granted to Commodore Perry, urging that what he asked as a favour would soon be demanded from behind the hostile armaments of England and France. Nor are the advocates of the use of force destitute of arguments. It is not well to attribute the movements of the mercantile classes in China, for instance, in the direction of progress, to self-interest alone. The merchants know full well that they are likely to be benefited by the extension of steam navigation, the opening of coal and other mines, the construction of railroads and telegraphs. But it is when they come to consider that these measures are desirable chiefly in the native interests, and are persistently rejected by the government, that their belief rises to the height of strong political conviction, and they lose no opportunity to impress their ideas upon the world.

I have lived for many years among foreigners in China. I believe that no higher-minded, more honourable merchants than those engaged there can be found in any land. I doubt whether the members of any mercantile class in the world are superior to them in origin and education. You will have noticed the ability and earnestness with which they discuss the great problems working out on the Asiatic coast. The views held may often be mistaken ones; but this occurs through no lack of good disposition. It is rather due to the special circumstances by which they are affected and the intensity of their convictions.

It has not been my fortune to agree always in their views. I have no hesitation, however, in paying them the tribute which I do. I conceive that I am acting wisely when I review my own in deference to their opinions. And highly as I respected the speaker, and much as I sympathise with the generous views which he has enforced in America and Europe, I deprecate Mr. Burlingame's

words when he calls them "opium dealers." In truth, foreign merchants in China are not opium dealers. The opium traffic is confined to a small number of mercantile houses and to Asiatic traders. From it the mass of merchants are as free as they are from participation in the coolie trade or in the African slave trade. So far as the acquaintance with the soberly held ideas of the leaders of commerce is concerned, I esteem my residence at Shanghai more favourable than life at the isolated capital of China. I attribute not a few of Mr. Burlingame's disparaging remarks to the fact that he lived at the capital, and only at rare intervals came in contact with his countrymen at the ports.

I confess that I should think less of Western civilisation and of Western manhood if it were not pushing and aggressive in China. Take the average American or Englishman used to well-kept roads and streets, to well-policed towns, to the comforts, conveniences, and advantages of steamships, telegraphs, and railroads, to all the benefits of lands where private rights are perfectly respected, education is diffused, and the blessings of a high civilisation are found, and put him down in China, where there is not one carriage road; where there are no sewers nor lamps in the towns; where telegraphs and railroads are unknown, and steamers only where foreigners have forced them, a country which seems to possess the fewest possible elements of accord with the enterprising West, and he would be unworthy of the Anglo-Saxon blood which runs in his veins if he should teach himself the Chinese habit of thought, and sit down to believe, with the immobile mass around him, that whatever is is best. I can use no stronger language than that of Mr. Browne, when he says:

"Whatever errors may be committed through misconception of facts or excess of zeal, the cause of progress is one which appeals to the highest sentiments of the

Christian world. I look upon the movements, therefore, as abounding in promises for the future. The best friends of China will undoubtedly be those who can induce her to strengthen her organisation and render herself able and worthy to maintain her position."

If it is asked, then, what are the arguments of this pressing mercantile class in favour of the use or the demonstration of force, the answer is ready: "The advancement of China without anarchy and rebellion," they say, "cannot be had by waiting until her government is ready to move." "The presence of foreigners is a protection and blessing to the people; this presence is their only chance of improvement save through desolating wars. It is in all probability the chief cause of the existence of the present government, and perhaps of any government in the country."

This idea was expressed by me, more guardedly, however, six months before the date of the memorial (*vide* my dispatch, No. 345):

"It is manifest that the growing intercourse between Chinese and foreigners in this and in other countries is bringing new forces into action in this empire. We have already seen Japan revolutionised in consequence of similar intercourse. The effect on the immensely greater mass of Chinese society is slower but very certain. The people are moving, and unless the government keeps with them, or in advance, new forms of administration or variations of existing forms will be sought in a revolutionary way."

I confess that when I wrote the above I entertained the idea that the government would keep in advance, or, at least, with the movements of its people. This belief had been shared by leading foreigners in China. Mr. Hart, inspector-general of maritime customs, who lives at the capital, and whose relations with the government are more intimate than those of any other foreigner, shared it. Mr.

Burlingame was full of it. Sir Rutherford Alcock entertained it so far that he supported the mission which was to go out expressly to gain the assurances of Western powers that they would bide China's time and not force progress on her. We hear now from Mr. Hart, from Sir Rutherford, from the other ministers, from the merchants, and from Mr. Browne, that this was a mistake.

Mr. Hart says:

"Some forty officials in the provinces, and perhaps ten at Peking, have a glimmering notion of what the foreigner means when he speaks of progress; but of those ten, not one is prepared to enter boldly on a career of progress or to take the consequences of even a feeble initiative."

Sir R. Alcock says:

"There is no evidence here of a desire for progress. If any hopes are built upon its existence, therefore, I fear there is nothing but disappointment in store for those who indulge in them. Projectors of telegraphic lines, railroads, and other plans for the sudden development of the resources of this country are but losing their time, while the government have shown no disposition to entertain their projects. I think it is in the interest of all who are so occupied that they should know the truth, and not be deluded by false hopes and expectations of changes which are still in the dim distance."

Mr. Browne says:

"All that the rulers of this empire desire is to be left free to work out their own destiny in their own way, and that is simply retrogression and relapse into barbarism. They make small concessions to avert greater ones; the whole struggle is against making any at all. I state this not in the way of deprecation, but as an incontrovertible fact which we are bound to confront. It is a subject for sympathy rather than complaint. A vast empire with an industrious and inoffensive population is in many re-

spects worthy of esteem in maintaining an unequal struggle to preserve its ancient systems against the combined powers of the world."

This is unmistakable language. And it is not different from the declarations which reach us from other sources. From the merchants, the professional men, and the officials at the ports, even from the highly intelligent class of foreigners who are managing the maritime customs department of the empire, we hear the same language, "China never has, and never will progress except under pressure."

A distinction is to be held in view here. Mr. Burlingame asserts with emphasis that China does progress. He recites as evidence that foreign trade increases from year to year. He quotes the fact that the Chinese are building several arsenals. He calls attention to the existence of the customs establishments. The so-called Peking University points his moral. In glowing language he declares that China invites Christendom "to plant the shining cross on every hill and in every valley of her broad domain." I hold with him that China is progressing. But the case is not such as persons not acquainted with the circumstances would understand from his language.

There is, in truth, progress in China. It is, however, that which has been forced on the empire and does not come from a spontaneous desire for improved methods. Trade develops there as it will in any land where scope for effort is given. We have forced China to give us her teas and silks, subject to certain defined rates of duty. We have forced her to accept opium, cotton goods, etc., subject to similar duties. The law of supply and demand has been strong enough to work out the development which we have seen. The government has done nothing, excepting, of necessity, to foster trade. It is not many years since the governor of the province of Kiang-si was dismissed from office because he said: "I conceive it my

duty to weigh well the advantage and disadvantage of this or that order of proceeding, and if any measure be beneficial to China and practicable, and does not violate law, I will assuredly not abide in the smallest degree by standing prejudices." But these are the only works of progress which they are undertaking, and one object they have in view is to strengthen existing institutions for a possible conflict with foreigners. The customs establishment is one of the most promising features of the progress of China. This was, however, urged on China by France and England to protect the lien which they had acquired upon the revenues of the state, and China, finding that she derived a better result from the aid of foreigners than she could when only natives were employed, and perhaps considering that she might pit foreigners against foreigners, has retained the service and extended it. The Peking University can only be said to have an existence. Missionaries may, in virtue of treaty stipulations, travel and reside in any part of the empire. These stipulations were, however, wrung from the Chinese by war, and they are deterred from discrediting them by the fear of war. Unoffending missionaries are frequently driven from places where they have attempted to locate themselves, and the record of murdered ones is a long one.

Instead of a picture of hopefulness, the merchants there draw of China one of despair. "We claim," they say, "that China as she stands is as low in civilisation as she is in wealth and power; that her history teaches us little worth knowing, except maxims of morality, long reduced by Western nations to actual practice, but by China neglected and forgotten; that her present state, so far from being an example, is a warning of the results of a false system and a vicious policy." And again they say: "It is almost impossible for us to convey to our fellow-countrymen at home a just idea of the utter inability of

the Chinese to comprehend any motives for forbearance other than our own powerlessness or a fear of their growing strength. It is our candid opinion that if the British and American governments were in a position to estimate all the dangers that are involved in their new policy, they would abandon it at once, in a state of alarm at its probable consequences."

If we grant that the merchants and the others quoted are right in their estimate of the Chinese disposition and character, and if we acknowledge the force of the descriptions which we continually read of the imperfection of Chinese systems of thought, of religion, and of government, it will be difficult to refrain from giving unqualified sympathy to their ideas. If China is weak and worthless and perverse, we must say, with the American moralist, "that while Western governments are bound to act a friendly, just, and generous part toward China, they cannot forego the advantage of the moral influence of their greater material powers"; and, with the British memorialist, "It is our earnest wish that when you [Mr. Browne] return to the United States you may endeavour to enlighten the public mind upon the real issues that are raised by the existence of foreign intercourse with China; and upon the most efficient means of introducing Western civilisation into this vast empire"; and, with Mr. Browne, "Instead of attributing to the Chinese either capacities or motives irreconciled with their whole history, and with their present condition and limited intelligence, it is our duty to enlighten and elevate them. But it is not by pandering to their superstitions and their weaknesses that this is to be done. The strong hand of pressure may be more humane in the end than flattering."

I cannot regard the condition of China so hopeless as do the high authorities I have quoted. What are the facts?

In the year 1840 there was no contact between China and the people of the West, excepting the very limited intercourse carried on by a few merchants at Canton. The empire was self-contained. To the northward were great deserts; to the westward, impassable mountains; to the southward, vast stretches of tropical jungles; and to the eastward, the Pacific. Within these boundaries dwelt a people whose numbers were estimated at 400,000,000. The neighbouring states and districts — Corea, Loochoo, Assam, Siam, Burmah, Thibet, Mantchooria, Mongolia — paid voluntary tribute to her. The Emperor was surrounded with the halo of deity. What wonder can we have that the state, prosperous beyond any of her neighbours, should be called "The Central Flowery Kingdom," and that her Emperor should assume to have received the "commands of Heaven to sway, with paternal care, the peoples of all lands?"

The troubles of the merchants at Canton in that year brought on the war of 1842, which led to the opening of four other ports to trade, viz.: Amoy, Foochow, Ningpo, and Shanghai. But the access of foreigners to the empire was confined to those ports. There were given no rights to reside or even travel in the interior. Diplomatic representatives were forbidden to go to the capital. Matters went on thus for fifteen years, when at last the treaties of Tientsin, exacted by arms, gave foreigners rights which were broad in comparison with those they had previously held, but were still far short of the privileges which are extended in any Western state. Practically those treaties confine the foreign merchants to a dozen or so ports, and beyond these the intercourse of foreigners with natives is occasional and inconsiderable. The treaties of Tientsin have existed twelve years. They take away from China a part of her natural sovereignty. They give, in some directions, greater privileges to the foreigner than the

native has possessed. They introduce into the land an alien race, bent on trade and on proselyting plans. They introduce, or seem to do so, an obnoxious drug, which destroys the stamina of the people; introduce it in such quantities that the state can barely produce tea and silk enough — valuable commodities — to pay for it.

I assume, and the candid observer at a distance will not be likely to dispute the fact, that if China, during these twelve years, has even passably well discharged her duties under the treaties; if she has even passably well accommodated herself to her new, very strange, and very irksome relations, she has done much. And if she has not egregiously failed in the performance of her new obligations, and has only partially accommodated herself to her new relations, I consider it reasonable to hope that she will soon begin to appreciate the benefits which free intercourse with Western states is sure to bring to her, and to expect that at no very distant day we shall see telegraphs and railroads stretching everywhere across the land, steam-vessels plying on all her waters, coal and other mines yielding forth desired riches, and the whole land rousing itself from a lethargy which has seemed that of ultimate decay.

I am prepared to say that I believe now, as I did two years ago, and as did the most prominent men in China at that time, that she will attain peaceably these results. I believe that it will be so, but more than this I cannot say. We cannot unravel the future and learn what is mingled in its web. We can only exercise our judgment as to what is the tendency and direction of existing forces and the character of results to be worked out under novel conditions.

If China were a state now as she was formerly, self-contained and self-poised, if no forces were at work within her borders excepting those originated by her own char-

acter and disposition, nor any outside interference or intercourse were to be expected, I should say that she might go on in the future much as she has in the past. Dynasty might succeed dynasty, periods of misrule and anarchy might give place to those of good government and order, to be succeeded again by eras of pain and difficulty. The great pendulum of time might continue to swing backward and forward, bringing with it, as heretofore, prosperity and prostration. That has been the course of events in China for many centuries, and so might continue indefinitely.

But there are other forces at work in China than those original with her people. These forces are of the strongest, and they are so defended and supported that they are left very free to work out normal results. The bad dispositions of rulers may retard, but they cannot stay them; the natural qualities of the people may hinder, but they cannot bar their course. They are forces which will accommodate themselves greatly to existing systems if not opposed, but if blind efforts are made to check them they will sweep away whatever opposes. Institutions of government, nay, whole races of men, will go down before them hereafter, as they have heretofore, whenever the inevitable is not recognised but blindly combated.

Let us consider the advantage these forces have in China.

The treaties as they stand give the people of Western nations the following privileges:

1. To approach with their ships, to land or lade merchandise, to reside, etc., etc., etc., at twelve ports on the coast.

2. To navigate the Yangtse River so far as Hankow, six hundred miles, and to reside, etc., etc., etc., at that and at three other cities on the river.

3. To travel under a system of passports in the vessels

or other conveyances of the country, for purposes of business or of pleasure, to all parts of the empire.

4. To send or take foreign goods into or bring foreign-owned produce from the interior under a system of transit passes. The utility of this is that they are thus enabled to pay a certain definite commutation, fixed at one-half of the external tariff charge, in lieu of the taxes which are levied, under the peculiar economy of the empire, on merchandise in transit, at barriers established along the rivers, canals, and highways.

Under these treaties, communities of foreigners have grown up at all the places where they are allowed to live, and the trade of the empire centres chiefly at these points. The carrying trade between the ports and cities opened has been transferred to foreign bottoms. The Chinese in their most distant marts have come to know, and more or less to use, foreign fabrics, and these are so much esteemed that in some districts, at least, whatever is best is known, not as "superfine," but as "foreign." They are continually witnessing the voyages along their coast or on their rivers of the sailing craft of the West, with which their own vessels compare so unfavourably, and of great steamers which cannot but be regarded by them as marvels of human ingenuity. They see at the ports that foreigners live in houses of imposing size and appearance, in circumstances of ease, convenience, and luxury unknown in their modest dwellings. They observe that these foreign communities are well ordered, and must mark with astonishment the perfected arrangements of the streets and of the wharves and docks. They have occasion to go into the foreign courts of law and learn that the maxims of morality and of fair-dealing taught by their own sages, but nowhere in their land greatly observed, are therein enforced. They witness great vessels of war, any one of which would be able to combat an army, lying quietly in

their ports, a spectacle, elsewhere unknown to them, of power held in check by perfect moderation. They see the forces of foreign states leagued with their own to suppress internal disorders. They see an important branch of the national revenues honestly administered by foreign employees. They find that, when taught, they can themselves manage ships, steamers, and machinery, and can even construct them.

The forces which have been thus fostered and defended, and have accomplished so much, are, then, those which, proceeding out of high stages of civilisation, have effected amelioration in the condition of the human race in Europe and America, and are destined yet to arouse from their lethargy or overthrow the Asiatic and African races. There is no staying them. Whatever may be the manner in which results will be worked out in the various lands of the globe, that those results will be accomplished no one in whose veins courses the quicker blood of the West entertains a doubt.

The Chinaman is noted, moreover, for his sobriety, his industry, and his peaceableness. No people, excepting one which needs the least control, could present to the world the spectacle which China has for centuries. In the West, until now, the existence of greatly extended states has been impossible. China, without other than the simplest means of communication, and unblessed by a good government, has been one and undivided. Without extraordinary branches of industry, and no external commerce, she has given her people the means of sustenance. A more quiet peasantry does not exist. And while the people are thus docile, careful, and thrifty, the theory of government is in many respects admirable, and men of intelligence and breadth of views, according to their lights, exercise, or do from time to time exercise, the sovereign control.

It would require much time to offer an explanation of the Chinese governmental system. It is certainly, in theory, despotic. Practically, however, it is liberal. The Emperor represents all authority and power. The viceroys are his lieutenants; they are sent to their respective districts, instructed to collect the revenues and to administer the laws; they are given no imposing military support. The task assigned them is to govern so that the ancient systems may be supported and the people made content. Their conduct is not greatly scrutinised so long as no murmurs come up. But when the people complain, the unsuccessful ruler must make way for another. The result is a system which is democratic in its working, if not in its salient features, and one well calculated to bring good men to the management of affairs.

As to the ability of the leading men in the state, I need only to allude to what has been said of late by such men as Cushing, Bruce, and Burlingame, to refer to the history and literature of China, and to recall the names of Confucius and Mêng-tse, Genghis-Khan and Kublai, Kang-hi and Kien-lung. Of a state thus constituted, it is premature to declare that she possesses no capacity to assimilate herself to new conditions.

But however bad may be the condition of China, however necessary for her own salvation it is that she should move forward in a career of progress, and however little hope there may be that she will move without pressure, that is to say, without the use of threats or force, fulfilling all the conditions of the arguments which are advanced by the merchants and by Mr. Browne, I assume that neither the United States nor England, nor any other state, will use force or threats.

It is our disposition to deal with China as a sister and sovereign empire. We have made treaties of amity and commerce with her. We send to her diplomatic represent-

atives and receive hers. We have come to consider that the rules on which we conduct intercourse with the states of Christendom shall be those which shall guide us in our intercourse with China. We are led up to this conclusion by the simplest reasoning. The states of the West have learned nothing of China since they gained access to the Tartar capital which has been of sufficient significance to shake their sense of duty and their preference in this regard. It is easy to deride the advanced liberalism of the age, and to stigmatise the policy which acknowledges broadly the right of any people to work out its destiny freely and independently, as a deliberate sinking of practical ideas and methods, and there may be great truth in the criticisms. But the fact remains that one of the doctrines of the political faith of the age is that all intervention is harmful and should be avoided. We may advise respectfully and discreetly, or we may warn earnestly, but we must confine ourselves to representation, unless our rights are touched. Nor can I imagine that if this is so, and the use of power is forbidden us by the spirit of the age, we can satisfy ourselves or retain our dignity if we use threats, direct or implied.

Indeed, I consider that such pressure as the merchants and Mr. Browne advocate is virtually impossible. A British minister using it would be discountenanced by the executive, or, should the executive by any chance support him, Parliament would not be unlikely to expel the executive. The same result cannot happen in America, but no administration careful to respect the sentiments of the people, as wise administrations ever are, would consent to support a representative pursuing such a course.

This feature of the case has received apparently no consideration in China. Men there have seemed to devote themselves to the elucidation of the problem: What policy on the part of Western states would most surely,

rapidly, and safely build up the prosperity of the empire? They have forgotten the essential requirements of any policy, viz., that it shall conform to the spirit of the age and the requirements and limitations of representative government.

The question seems a broad one until we reach this point. It narrows at once here. The Western statesman will do all that he can touching China when he sets before her rulers, discreetly and with tact, the arguments which are so ready to his hands in favour of material progress and of liberal institutions, and points out the dangers which will be incurred by the government in holding rigidly to old ideas and practices, while the people are being educated by contact with foreigners to more liberal and advanced views.

I have so far kept in view the ideas of the merchants as to progress in China; shown what those ideas are; indicated that they are, or may not be, altogether in accordance with the facts; and that, whether so or not, they are not likely to receive support.

My treatment of the matter which remains to be considered will not be different, and my conclusions will not be less positive, although in this, as in the question of progress, I shall endeavour to do as full justice to the arguments advanced on the mercantile side as I can, having reasonable regard to brevity.

The policy of dealing with the central government is the one supported by those who believe that, having treaties with the government of China, executed on a basis of equality, and having representatives at the capital, and having ourselves received her representatives, we are bound to discuss and settle disputes which cannot be disposed of by consular negotiations only at the capital, and in conference with the imperial authorities. That such is the desirable course, I presume no one will be found

hardy enough to deny. The divergence arises on the question whether the policy is a practicable one.

The British memorialists say, "Lord Clarendon has laid down rules of action for our minister, our consuls, and our community, which would prove utterly inadequate if any crisis occurred demanding extraordinary measures," and "we cannot but admire the unanswerable vindication by Sir Rutherford Alcock of his and our views, which is contained in his dispatch to Lord Clarendon of the 5th February last."

Sir Rutherford, then, may be considered the speaker for the merchants as well as for himself. Before quoting, however, from his dispatch of February, referred to, I will briefly state the circumstances which called it forth.

On the 22d and 23d of August, 1868, a British missionary named Taylor, and a number of others, men and women, also missionaries, who had settled at Yang-chow, near Chin-kiang, were attacked by a mob, who had for several days threatened them. The houses in which they lived were somewhat damaged, and some injuries, fortunately none of a grave character, were inflicted on members of the mission. The animus of the mob will be seen when I state that a house, in the upper rooms of which some ladies of the party had taken refuge, was set fire to and they were forced to jump from the windows to save themselves from the danger of death by burning. The missionaries had been but a few weeks in the city. It would appear that they had conducted themselves with discretion and when the indications of danger became manifest they were careful to inform the authorities and to request protection.

On hearing of the difficulty, Mr. Medhurst, British consul at Shanghai, within whose district Yang-chow lies, an officer of deservedly high reputation, and of the longest experience, proceeded to the spot and made efforts to

secure the punishment of the offenders, and reparation for the damages done and injuries inflicted. He was unsuccessful, and reported the case to his superior at Peking. Sir R. Alcock, with his accustomed vigour and rapidity, laid the matter before the Foreign Office; with what success may be seen from his own statement, as follows:

"The result has been so far satisfactory that it has been determined to institute a searching and honest inquiry, on the spot, into all the circumstances, and I am assured the punishment of those responsible for any wrong done shall surely follow, together with compensation to the missionaries and their restoration to the places from which they have been ejected."

Sir Rutherford, for reasons which he afterward states, did not credit the professions of the Foreign Office, and, instead of waiting to learn what the result would be, he called upon Admiral Keppel "to give such effective support to Mr. Consul Medhurst in the demands he will be instructed to make, as may, I think, avert the necessity for any more active measures of coercion. Should this hope unfortunately not be realised, I am satisfied there is no alternative consistent with a due regard for British interests in China but to direct the consul to place the matter in your hands, in order that you may take such further measures as shall be found necessary to compel the local authorities to meet our demands, and do full justice in accordance with the instructions I am assured they will receive from the central government."

In accordance with his instructions, Mr. Medhurst, in due season, proceeded to Nanking, the residence of the viceroy of the district, with the men-of-war *Rodney*, *Rinaldo*, *Slaney*, *Bebra*, *Dove*, and *Icarus*. The first act of this fleet was to inform the commander of a Chinese corvette, the *Tien-chi*, found at anchor near Nankin, that "he must not weigh without permission, on pain of having

a prize crew placed in charge." This was followed by a demand for the temporary transfer of the *Tien-chi*. Mr. Medhurst adds: "I need scarcely say that the required order was granted without delay," although he tells us that the Chinese opposed the demand with "much vehemence."

Having completed some preliminary negotiations with the viceroy, the fleet dropped down the river to Chin-kiang, near Yang-chow, and from there two of the smaller vessels, with three hundred marines, proceeded up the Grand Canal to the city of Yang-chow itself. The marines were landed there and quartered in the city. The negotiations went forward, the demands were all substantially complied with, and Mr. Medhurst and the flotilla returned to Shanghai with éclat.

The British Government, however, conceived that the course taken was unsatisfactory, and thus instructed their envoy:

"Mr. Medhurst very properly reported to you from the first what had happened to the missionaries, and the course which he proposed to pursue; and afterward, when he failed in overcoming the reluctance of the viceroy to afford redress, he, as in duty bound, placed the matter in your hands.

"You, on your part, very properly called upon the central government to afford redress, and her Majesty's government are glad to recognise in Prince Kung's letters, and your own comments on them, the fullest admission on the part of the central government of their responsibility, and the readiness with which they took measures that proved effectual for bringing the local authorities, as well as the viceroy of Nanking, to a proper sense of their respective duties, the result being that full satisfaction was made for the outrage complained of.

"Thus far the matters followed their proper course.

The central government was appealed to for redress against the provincial government, and proved its willingness and ability to obtain it.

"But I will not conceal from you that her Majesty's Government would have much preferred that the matter should have been left to the action of the central government, subject, of course, to the view which her Majesty's Government might take of it, if that action were withheld or proved unavailing, than that the aid of her Majesty's naval forces should have been invoked in order to bring pressure or to inflict punishment on the provincial authorities irrespective of the demand which you had made on the central government for redress."

And afterward sums up as follows:

". . . The active interference of her Majesty's naval forces should only be had recourse to in cases of sudden emergency and of immediate danger to lives and property; but when once the matter is removed for diplomatic discussion at Peking, her Majesty's Government should be left free to determine, if occasion should arise for doing so, what is best to be done to enforce upon the central government the obligations not only to observe treaties, but to compel the provincial authorities also to observe them."

This brings me to Sir Rutherford's "unanswerable vindication" of his action, and of his views and those of the merchants. Sir Rutherford says:

"Some shorter and less disastrous mode of settling wrongs and disputes at distant ports is as much to be desired in the interest of the Chinese nation and government as in that of foreigners, even though it should be less strictly accordant with international law and usage. Against the disadvantages that attach to local actions, even after appeal shall have been made in vain to the government at Peking, and the objections in principle to which all

such extreme courses must be open, both Chinese and foreign powers may wisely, perhaps, set as a counterbalance the avoidance of cumulative wrong leading to the necessity of a war, and entailing costly expenditure on the one side and a perilous loss of authority and prestige on the other.

"We need not look to Vattel or Grotius for any sanction to such exceptional action, for the simple reason that they and all other writers on international law deal with principles in their application to civilised states, recognising a mutual obligation, and governed by similar, or at least analogous, systems of jurisprudence and polity; but when dealing with Oriental races and states, ignorant of all the conditions and principles of European polity, a special adaptation of those principles is required to meet the wholly exceptional character of the situation caused by a forced intercourse between races holding totally different views of moral obligation and national policy. The broad principles of justice, of right and wrong, which underlie the international code of nations must be respected everywhere by civilised states, but an over-scrupulous pedantry in adherence to the rules deduced from these, and forming the system known in Europe as the law of nations, in dealing with an Asiatic race like the Chinese, is only calculated to do mischief, and bring on the very evils it is intended to avert.

"Some special modification of rules and principles of international law, as this is understood and recognised by European states, is required in the interest of peace and justice. Local authorities must not be allowed, by persistent misrule and violation of treaties, to bring on their country the horrors of war as the sole means of redressing the wrong, and the only effective means of preventing this, in default of a central government, with adequate power, is to make them feel a personal responsibility for

their acts such as their own government ought, but, under present conditions, seems quite unable to enforce. The knowledge that, sooner or later, if justice is denied and instructions from Peking disregarded, to the injury of foreigners, they will have themselves to deal with a foreign power they can neither defy nor resist, will soon lead to a radical reform in the course of action, and teach them to respect treaty obligations for their own sake if they care nothing either for treaties or the orders of their own government. Such a policy, if carried out with judgment and moderation by the treaty powers, will act beneficially at both ends of the line. The Peking government will be disposed to take more stringent measures than they otherwise would with their provincial officers to enforce respect for the rights and interests of foreigners, while the officials themselves will become more circumspect not to provoke the inevitable issue of conflict with a foreign power, and all parties will gain largely thereby.

"Hitherto the course of affairs has been only too truly described by the memorialists from the ports.

"When any wrong or injustice is suffered by a foreigner for which there is no appeal to a public court of justice and a written code of laws, if the Chinese local authorities are not moved, as is too often the case, by the consul's representations, the only recourse is a reference to the minister at Peking; and then commences an interminable series of references backward and forward — a see-saw of correspondence on both sides between the ports and the capital — and no final solution is ever arrived at. It may be safely affirmed that such is the experience of all the foreign representatives. I am assured there is no one of these who cannot point to numerous cases which have been so treated for a number of years, despite their best efforts to secure a better result.

"Such experience leads infallibly to a conviction that

when treaties have been imposed by force upon an unwilling government, as all with China have been, they can only be upheld by the same means. The diplomatic instrument has no binding power with Chinese rulers when its stipulations can be evaded with impunity, or whenever it is believed that the force that imposed them is no longer extant or available. Diplomacy in such circumstances means armed reason. As Carlyle, in his quaint style, remarks, 'Diplomacy is clouds, beating your enemies on sea and land,' and the only evidence of power or title to respect a true Oriental freely recognises. And in order that foreign powers may not have to resort to such rude instruments for proving their title, it behooves them to find means of preventing cumulative violations of treaty, since continued impunity brings with it a conviction of weakness; for, as I have said on a former occasion, it is weakness, or the suspicion of it, which invariably provokes aggression, and with Eastern races is a far more fruitful cause of bad faith and danger than either force or the abuse of it. The desire to avoid complications and wars in the Far East should suggest, not an unreasoning recoil from the assertion of treaty rights from fear of the troubles it may bring, but a steadfast adherence to such conditions of intercourse as experience has proved to be best adapted to insure respect for engagements."

Sir Rutherford then states his belief:

"That well-combined measures of pressure, showing, by unmistakable signs, both the will and the immediate power to enforce, if needs be, demands for redress, persistently denied after reference to Peking, and promises of action from the government, will never fail if brought to bear judiciously against the local authorities, however high their position."

But in order that this pressure may be irresistible, Sir Rutherford condemns unauthorised action, that is to say,

the independent action of consuls and commanders of vessels of war, and insists that the power to exercise pressure should be given only to the diplomatic representative of the government. "Thus guarded," he says, "there is little to fear from any abuse of power, and much to hope from its discretionary exercise being intrusted to the representative at Peking, should necessity arise."

During the time that the Yang-chow matter was going forward I could not but feel that a mistaken policy was being carried out, and I took the liberty, which perhaps was justified by my long experience in China, to express my views to Mr. Browne; the substance of my argument was that our relations with China are of such character as to bind us to appeal for the settlement of difficulties to the government at Peking; that there was no good reason to doubt the ability of the government to give redress in that and all similar cases; that the policy of appealing to the government did indeed stand discredited, many appeals for justice having been unsuccessful, but that it was perhaps true that the appeals had been faint or otherwise not forcible. I then recited the circumstances of the empire when the foreign minister went to the capital and for several years thereafter, pointed out the straits and difficulties into which the administration was placed by reason of the rebellions existing in various districts, and the novel character of its relations with Western states, and showed how the whole situation had called for a policy of generous forbearance and support from the ministers. I urged that this forbearance had, perhaps, in the best spirit, but unfortunately, been carried so far as to engender a feeling of irresponsibility on the part of the government, and of irritation on the part of the merchants who, finding their grievances always unredressed, came to believe that justice could not be procured from the government. I showed also that the ministers, more acutely

alive to the difficulties of China, came to look with annoyance on the exacting character of the views of their compatriots at the ports, and to set them down, as Mr. Burlingame since has, as opium dealers and smugglers with whom self-interest was everything. I urged that at length the time had come when a more strenuous tone should be adopted toward China; a time when justice should be exacted as well as given.

The central feature of Sir Rutherford's argument is, that there is no sufficient centralisation in China. My argument on this head was the one which would naturally be based on the peculiar constitution of the Chinese government, as explained in an earlier part of this dispatch. I pointed out that to the viceroys is left the control of their respective districts, and that these are appointed and removed from the capital. I urged that this power of appointment and removal was perfectly exercised, and that while there were doubtless many ways in which the government could effect the settlement of disputes, this power of removal was of itself sufficient.

I note in Sir Rutherford's letter a more or less perfect admission of my statement that the policy which the ministers had pursued at Peking was not a strenuous one. He says:

"It is in truth clear that the central government must find means to compel a greater respect for their own orders on the part of their local authorities throughout the provinces wherever foreigners are found, or foreign powers will be driven to one of two alternatives in self-defence; they must either devise such local means of pressure as shall control and coerce malfeasant and corrupt officials into good behaviour, or hold the imperial government responsible for unredressed wrongs at the ports and elsewhere in a much more direct and stringent manner than has yet been the practice as a general rule."

He adds:

"The last alternative is no doubt more consonant with treaty relations and international law than the first."

In these sentences Sir Rutherford admits enough to condemn his theory. We are clearly bound to give the regular proceeding at least a trial. According to his statement it has not been the practice as a general rule to push that procedure to its extreme point. My own opinion is, that that procedure has very seldom been pushed to its extreme, and that the Chinese government, weak as it is, with everything to lose and nothing to gain by a foreign war, will never fail to find a way to do justice when the demand is made with the statement, "Do this or we shall find a way to right ourselves."

The centralisation policy will, however, be adhered to until it is proved utterly inadequate. When this can no longer be a matter of doubt, foreign states will begin to discuss the policy which can be pursued in China, and not till then. Meanwhile all arguments such as this of Sir Rutherford, that the war power of Great Britain should be placed in his hands, will avail little. It is, indeed, difficult for me to conceive that any one can believe that Great Britain or America would consent deliberately to grant such powers to their envoys, not in respect of certain definite issues, but in respect of any and all matters wherein those envoys should consider the use of force desirable. I doubt whether the constitution of either state would admit of the bestowal of such authority. As a citizen of a state which is interested in China, not so much for the value of existing trade as for the possibilities of her future, a state which has no unreasonable ambition in the East, but is intent on preserving there a free field for the enterprise of her citizens, I should hope that no such authority would be granted to any envoy. If it should be the desire of China to stir up hostile feeling against foreigners, how

could it be more perfectly effected than by encouraging a disposition on their part to wage petty wars in various parts of the empire. If it should be the wish of any state to effect a conquest, how easy to bring about a general war with China by such fashion of procedure, or to find an excuse for holding this or that district as a "material guarantee" for the fulfilment of treaties.

But although I support the centralisation policy, I trust that I recognise its difficulties and dangers. I see clearly that while the subordination of viceroys and other provincial officers is theoretically perfect, they are still greatly independent — the very fact that broad powers are committed to them renders it desirable for the government to treat them with consideration. It is seldom that an officer is degraded unless for cause. If he is an able and ambitious civilian he is sent to a disorderly district, and if there he brings about a better state of things it is well, but if he fails he pays the penalty. If he is an able and ambitious general he is perhaps given civil duties, or he is sent to quell a distant insurrection. If he succeeds the advantage rests with the state, and if he fails it is easy for the government to rid itself of him. When all other courses fail the man of too great prominence is brought to the capital itself and given promotion to one or the other of the great boards of the state, where he has no direct power and is hampered by his associates.

While the leading provincial officer has a degree of independence, he has also an advantage in the fact that no representation can readily reach the capital from his district unless it passes through his hands. There are no newspapers. The subordinate officers can only send their addresses to the throne through him. He can, therefore, suppress, alter, or add to the facts of a case and make upon them any special plea which suits him.

To this time a large majority of the leading men of

China are hostile to foreigners. The provincial authorities know this, and perhaps feel that their careers depend somewhat on their success in outwitting or circumventing the foreigner. The man too favourable to them is likely to have it brought up as a charge against him at the capital. It is manifest that so long as this spirit pervades the official classes in China the evasion, with which foreign officers seeking to enforce justice for their people will be met, will be constant and disheartening. Those at the capital will often promise redress, trusting to the ability of those in the provinces to misinterpret instructions, or to introduce vexatious delays. Those in the provinces will make references to the capital, knowing that they will receive back vague and uncertain directions capable of being twisted to suit their purposes, or at least to justify procrastination. The celebrated saying of Philip II of Spain, "Time and I are two," may be considered as ever in the minds of Chinese statesmen. Time is nothing with them, or rather, time is everything. I have known Chinese officers to make promises for no purpose, apparently, but to gain time to manufacture excuses. The lessons to be learned are obvious.

When there is a dispute brought before a consul by one of his compatriots, he must spare no pains to make a complete investigation of the matter. If possible, he should get a Chinese officer to make with him a joint investigation and record. Failing to procure justice he should refer the case and all the evidence to the capital. The minister will then be in a position to speak positively to the government, and if he has occasion to refer home for instructions, his government will be able to form an opinion as to the merits of the case and to give instructions. And lastly, the home government must not hesitate to authorise demands when there is reasonable occasion therefor. As I have said, such demands, with the

alternative of the use of force, will not fail to procure redress of grievances.

There is likely to arise a class of cases where to delay is to yield up property and life, perhaps, to wanton destruction. I have not yet considered these.

One can imagine the individual citizen guiding his life with the most perfect control and moderation. Such moderation, even in well-ordered countries, does not always insure safety. There is no guilt imputed to the man who in self-defence strikes back vigorously. The person who assaults is to be condemned abstractly, but when an emergency arises he may do so without infringing law or right.

Much more is it true that in Eastern countries, where prejudices of race and religion exist, the most perfect moderation on the part of foreigners will not secure safety, and that it may be necessary in the interests of humanity to deliver sharp blows. Blood is thicker than water. It is not to be expected that the foreigner or his civil or military representative will stand still in such cases.

I presume there is no government unwilling to recognise the necessities which so arise. They will put their recognition of it as little on paper as possible. They will ever impress the necessity of careful procedure. They will indicate that force may only be used at the peril of the official. They will scrutinise closely the use of it. But they will defend the officer who, in moderation and discretion, and with recognition of his responsibility, has acted with vigour. The representative who cannot so act, when it may be necessary, would indeed be unfit for his post. If I do not dwell further on this proposition the reason is manifest. When discretionary powers are granted, the fact implies the difficulty of making rules.

This dispatch has already exceeded reasonable bounds, and I here leave the subject dealt with in your hands. In

doing so I feel conscious that many considerations remain untouched. What I have said, however, will indicate my conception of our true policy in China. Circumstances and fuller information must modify whatever policy is adopted.

And lest I may leave wrong impressions, I shall add that while I have spoken as if there is but one mind among our merchants in the East, practically there are many and divergent views held. The addresses to Mr. Browne cannot be considered conclusive on this head, though, as evidence, they may seem unimpeachable.

Sir R. Alcock and Mr. Browne, I may say, differ between themselves, and each more or less from the merchants. They are, however, equally earnest in their advocacy of truth and of the interests of China, as they see them.

Of some of the expressions of Mr. Burlingame I have spoken without reserve. My advocacy of the principles which formed the basis of his policy is the best testimony I can bear to my high estimate of his disposition and services.

GEO. F. SEWARD.

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